# The Catholick HIERARCHIE:

OR,

The Divine Right of a

# SACRED DOMINION IN CHURCH AND CONSCIENCE,

Truly Stated, Asserted, and Pleaded.

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*Put them in mind to be subject to Principalities and Powers, to obey Magistrates, and to be ready to every good work*, Tit. 3. 1.

*Give none offence to Jews nor Gentiles, or to the Church of God*, 1 Cor. 10. 32.

*The spirit of a man is the candle of the Lord, searching all the inward parts of the belly*, Prov. 20. 27.

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# TO
# A WORTHY GENTLEMAN.

*SIR,*

WHen the mindes of men are blinded with Interest and Errour, or vitiated with Prejudice and Partiality, the wonted manner of opposing Truth is *fortiter calumniari*, being not able any longer to defend themselves (by subtile Sophistry, and cunning Evasions) from the convincing evidence and demonstration thereof. Hence it must be either stigmatized with terms of Opprobry and Contempt, or its right names exposed, by a proverbial and malicious abuse, to the scorn and derision of the Ignorant and unstable Vulgar, most easily (by artificial pious Fraud) inspired with a fond Opinion; and through the enchantment of that Opinion, transported into a furious Zeal for or against such things as they never weighed in any balances of right Reason, or duely examined the goodness or evil of; and hence are carried this way, or that way, as designing men shall lead them, or as the wind of Popularity raises the swelling Surges of boundless Passions and Affections, verifying the Saying of the old Poet,

Τὸ πίθανον ἰσχὺν τῆς ἀληθείας ἔχει
Ἐνίοτε μείζω, καὶ πιθανωτέραν ὄχλου. Menand.

*Opinion, more than Truth, impression makes*
*On th' Vulgar, and as more perswasive takes.*

/And truely, Sir, among good words, perverted from the right meaning, and abuſed to Reproach, none have been more than thoſe two which the Author of this ſmall Treatiſe hath dignified his Title-page with. A *Catholick* in our days is become as contemptible as a *Puritan* formerly, or a *Phanatick* now; whenas every good Chriſtian is really a *Catholick*, and doth approve himſelf ſo in his Principles and Practice, is a Member of the Catholick Church, hopes to be ſaved by the common, *i. e.* the Catholick Faith; exerciſeth Catholick Holineſs in his life and converſation, holding a *Catholick Communion* with all *viſible Catholicks*. And this is the Chriſtian that is likelieſt to contribute moſt to the healing the manifold heart and Church-diviſions among us.

And as for *Hierarchy*, it's well known how our Age hath delivered it up to the infamous uſage of ſcurrilous Tongues and Pens, notwithſtanding its venerable and never-enough-to-be admired ſignificancy, that the very naming it calls for Reverence and Devotion; yea, its very letters and ſyllables will be a Monument of Renown, maugre all the deſignes of ill-minded men, to abandon the *Churches glory*, and to convert all *Eccleſiaſtical Decency and Order* into a confuſed *Chaos* of phantaſtical Imaginations, or a *miſcelany of private Humours and Intereſts*. And do men know what *Hierarchy* is, that ſpeak ſo irreverently of it? is it not a *Sacred Juriſdiction*? and where is it ſeated and exerciſed? is it not in the Church and Conſcience, ſeats of its dominion ſo ſacred, that no Secular Power can aſpire unto, without the higheſt uſurpation? And there is no true *Church* and ſound *Conſcience*, in which the Hierarchy doth not exert its power, and is not as freely ſubmitted unto with all due homage and obedience. And whatever ſome licentious Proteſtants may pretend to, and raiſe ſo much duſt of contention about,

bout, or of whatever Churches, of unquoth names and worſe natures, they profeſs themſelves Members; if ever they intend to be ſaved, they muſt (notwithſtanding all their *religious Huffs*) at laſt be found Members of the Catholick Church, and be ſubjected to the Catholick Hierarchy thereof: And till this profeſſed ſubjection become more univerſal among Chriſtians, Religion will ſtill be ſplitting on the Rocks of *Faction*, *Schiſm*, and *Phanaticiſm*.

Sir, you will finde the principal deſigne of thoſe few ſheets ſubmitted to your judgment, is to recommend this *Panacæa*, or *Catholick Remedy*, for the ſound healing of of our *morbid Church*, which ſeems to labour under ſome Diſeaſe not unlike the *Microcoſmick Scorbet*, being (according to the account of late Phyſicians) a complication of all Diſtempers, or transforming it ſelf Symptomatically into the ſhapes of all diſeaſes of the *Body natural*. Without doubt, our Remedy being prepared, and applied *S. Artem Spiritualem*, may contribute towards the recovery of our thrice-honoured, but *languiſhing Mother*, more than all the *eſſential or golden purging Spirit* of *Cochlear* in *London* can do to the reſtoring of one Scorbutick body: neither is it prepared in every Elaboratory. He ſaith there is one at *Weſtminſter* can do more towards it than any in *England* beſides. He tells me alſo of one admirable Vertue, that it doth wonderfully pacifie the diſquieted *Archeus* of a Body Politick; and if it be ſo, I will aſſure you it's to be preferred beyond all compare: for the plain truth of it is, the old Remedies of purging and bleeding do but ſcurvily agree with it, and it's very apt to Relapſes after thoſe rugged Medicines, as we finde by ſore experience.

Sir, my Friend hath taken ſome pains, out of love to his Country, to clear up the nature, and demonſtrate the neceſſity of a *Catholick Hierarchy*; though you muſt

not

not expect to finde that word often mentioned, the Vulgar being so apt to start at it as a hard & dangerous word, pregnant with a Pope. Sir, I had not obtained leave of my Friend to present these Papers to your view, but upon condition that I would apologize on his behalf, for the plainness of his Stile, saying, that he is naturally a stranger to the smooth dresses or high strains of Rhetorick; & indeed it's my judgment that the plain truth, especially when it acts polemically, requires it not, but is usually delighted in a garb most like it self; and thereby is rendered most acceptable to every good man and solid judgment. He likewise humbly desires, that you will deliberately read, and not suddenly censure any thing as dissonant to truth, till you have duely weighed it in it self, as in its dependencies and suppositions on which it is built.

Sir, to conclude, I humbly crave pardon for the trouble I have given you, though I am fully satisfied the subject will not be unpleasant to you, whom I know to be an Ecclesiastical *Adeptus*, In respect of your Catholick spirit, superlative love to the Church, and singular devotion towards the Hierarchy. That you may long live, and continue in the same minde and practice, and many follow your worthy Example, is the devout Prayer of,

SIR,

*Your most humble Servant,*

Catholicus Verus.

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# ERRATA.

PAge 12. line 3. for *when he by his Law*, read *when man by his Law*.
P. 13. l 3. for *immediately*, r. *mediately*.
Ibid. l. 30. for ἐλάθερον, r. ἐλεύθερον.
Ibid. l. 31. for ἀδαίμονα, r. εὐδαίμονα.
P. 24. l. 9. for *obedience*, r. *such obedience*.
Ibid. l. 26. for *Masters*, r. *Master*.
P. 25. l. 37. dele *The* in *the most certainly*.
P. 35. l. 13. dele *They*.
P. 36. l. 4. for *our*, r. *your*.
P. 44. l. for *just and equal*, r. *justly charged*.
P. 45. l. 3. dele *thereof*.
P. 48. l. 20. for ἀπραξία, r. εὐπραξία.
P. 53. l. 27. for *duty*, r. *guilt*.
Ibid. l. 12. for *in religious service*, r. *religious service*.
P. 85. l. 24. for *&c.* r. *and*.
Ibid. l. 39. for *Co-ordination*, r. *Subordination*.
P. 88. l. 35. for *Nation*, r. *Nations*.
P. 53. l. 8. for *by Assemblies*, r. *assembled*.
P. 100. l. 21. r. *unlawful in the Worship of God*.
P. 112. l. 33 dele *therefore that*.
P. 114. l. 16. r. *and sound in his principles*.
P. 125. l. 19. r. *of what hath been said is*.
Ibid. l. ult. for *consequentially*, r. *consequential*.
P. 128. l. 11. for *thught*, r. *taught*.
P. 140. l. 2. for *and Christ hath*, r. *and hath Christ*.
P. 152. l. 17. for *prophane use of them*, r. *prophane manner*.

# CHAP. I.

## *Of the Twofold Juriſdiction which a Chriſtian by the Law of Chriſt is ſubjected unto.*

§ 1. THat there is ſuch a thing as Chriſtian Liberty, none pretending to a true information in the Doctrine of the Goſpel of Chriſt, I ſuppoſe, will deny; neither need I make it my preſent task for to prove. But the great Conteſt for many Ages hath been, about the true Nature and Extent of this Liberty: Some ſtretching the bounds thereof larger than Chriſt ever did, intrenching on Civil and Moral Laws; opening thereby a gap to Licentiouſneſs, and the violation of the bonds of Humane Societies, in Magiſtratical Rule and Government. Others curtalizing and abridging the ſaid Liberty, not allowing it thoſe lawful extents allotted thereto by Chriſt; audaciouſly depriving his poor Members of many Goſpel-Priviledges and Advantages, granted them by Charter from the Supreme King and Lawgiver. Civil and Antichriſtian Powers ſtill making it their buſineſs to ſpy out this Liberty, and their great deſigne to bring them into Bondage.

§ 2. *Calvin* obſerves, *Duplex eſſe Regimen in Homine; alterum Spirituale, quo Conſcientia ad pietatem & cultum divinum inſtituitur: alterum Politicum, quo ad Humanitatis & Civilitatis officia, quæ inter homines ſervanda ſunt, homo eruditur, Juriſdictio Spiritualis & Temporalis.* i. e. *There is in Man a twofold Government; the one Spiritual, whereby the Conſcience is inſtructed unto Piety and the Worſhip of God: The other Political, whereby a man is taught the Duties of Humanity and Civility, which are to be obſerved between man and man, a ſpiritual Juriſdiction and a temporal.* Which Obſervation hath Moral foundation, and an Evangelical ratification; thewhole of a Chriſtian being comprehended under theſe two Heads of Duty (charged upon us by the Old and New Teſtament,) towards God and towards our Neighbour. On the firſt of which Chriſt hath, by his peculiar Legiſlative Power over his Church, eſtabliſhed the whole Oeconomy thereof: On the latterhe hath chiefly raiſed the edifices of Civil States and Hu-

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mane Societies, where he hath allowed a latitude of Legiſlative Power unto the Sons of men, as unto his Delegates and Subſtitutes in earthly Rule and Government. Unto both of theſe Juriſdictions he hath laid on man a firm Obligation, by planting his Moral Light in Conſcience; ſo that he cannot ſtart from either of theſe Duties, without ſtarting from himſelf, as our firſt Parents did in their Tranſgreſſion; and all others, in putting forth the poyſon of that original blot in actual ſins of Omiſſion or Commiſſion; all which are but irregularities, or nonconformities to this Moral obligation laid on Conſcience, either manifeſtly ſo, or eaſily reducible thereunto. For whatever is a treſpaſs againſt the revealed Will of God, for Duty in Moral Obedience, or inſtituted Worſhip, is a ſin; not but that Inſtituted Worſhip is fundamentally Moral Obedience, but is therefore in ſome ſenſe diſtinguiſhed from it, (the ſerving of God according to his own appointment, being the principal part of the Moral Law) becauſe God hath, according to the ſeveral ſtates of his Church, altered the mode and manner of his Worſhip, as he hath thought it beſt in his Wiſdom, and as hath bin moſt ſuitable to the ſeveral ages and ſtates of his Church; which alterable or altered Circumſtances, being the product of Chriſt's Prerogative alone, are called his Inſtituted Worſhip.

§ 3. Hence both theſe Juriſdictions are Primarily and Morally ſubjected to the King of Kings; he orders, diſpoſeth of, and rules in the Kingdoms of men, as well as in his Church and hearts of men: yea, by ruling Heart and Conſcience, as well as by diſpoſing Providence, he rules Civil States, and ſubordinate Societies; but the manifeſt difference is here, that God's political Rule in the Kingdoms of the Earth, and humane States, is more remote and mediate: but that of Church and Conſcience being Spiritual, is more proximate and immediate. He only gives general Laws to Civil Societies, and leaves a limited Legiſlative Power, as to particular, collateral, and incident caſes, to humane Governours, ſubſtituted providentially by him. To theſe he leaves the immediate adminiſtration of Rule and Government, as to an Executive Power altogether, and as to a Legiſlative Power in a great meaſure; but hath reſerved the immediate adminiſtration of Rule in his Spiritual Dominions, to himſelf alone, as to Legiſlation in his Church; and both Legiſlation and Execution as to Conſcience.

§ 4. Theſe two Modes or Degrees of Adminiſtration, muſt not be confounded together: Man muſt have no greater ſhare in Rule and Govern-

Government, than God hath deputed him to; he is not to rob Christ of one jot of that Glory, which he hath reserved to himself, under any pretence whatever; neither doth Christ permit, that by a plea of being under his more spiritual and immediate Jurisdiction, we should exempt ourselves from the equal Laws and Jurisdiction of man; for by Christs Laws all his Members are firmly bound upon both accounts: *Give unto Cesar the things that are Cesar's, and unto God the things that are Gods. Fear God, Honour the King.*

§ 5. Lest we should be mistaken in the true nature of either of these, it is needful that they be both distinctly spoken unto; first of Christ's immediate Jurisdiction, and then of his more mediate, called *Regimen Politicum vel Temporale*, to which a Christian is subjected; the other *Spirituale*. But to make way to them, we shall speak briefly first to the nature of the two Administrations of Power, that will be so often mentioned, *Legislative* and *Executive*.

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## CHAP. II.

### *Of Legislative and Executive Power.*

§ 1. DIvine Power is exerted, either in giving being, which is Creation; or disposing of that being, suitable to the ends of Creation, and that is Providence; This latter consists in Preservation or Gubernation of created Beings to their respective ends. The latter of which being a ruling of the Creature by certain Laws, according to the Will of God the Creator, is either *Legislative* or *Executive*.

§ 2. *A Legislative Power* is a Power of making and giving a Law. To compose and draw up a Law is not enough, though with the greatest exactness, and holding proportion with the ends designed; yet here the glorious Wisdom of God is most resplendent: but to give a Law, is to stamp an authoritative obliging Impression upon it, whereby it tyes up the Subject to Duty, and upon his failure unavoidably lays him under guilt.

Νομοθέσια, Potestas Legislativa, vel Legislatio, *Rom.* 9. 4. Νομοθέτης, Legislator, *Jam.* 4. 12.
Νομοθετέω, έωμαι; Leges sancire, *Act.* & accipitur *Pas. Heb.* 7. 11. & cap. 8. 6.

§ 3. *A Legislative Power* is either *Sovereign and Unlimited*, or *Subordinate and Limited*. *A Sovereign unlimited* Legislative Power, is a

Power in making and giving a Law, (*pro placito vel arbitrio Legiſlatoris*) both for the matter and manner of it. In this there is nothing but *Placitum Legiſlatoris*, which gives him any Limitation; he doth whatever he will, in conſtituting the nature and parts of this Law, and ordaining the Subjects to it, and how far obliged by it: So that here the Legiſlators Will and Pleaſure, is a Law unto himſelf, and nothing elſe. Hence it muſt be ſuppoſed that this Lawgiver muſt have as much Power over the Subject, as it's poſſible for a Creator to have over a Creature; elſe he cannot put him under what Law and Limits of Obligation he pleaſeth: And thence it is that this Lawgiver muſt not be accountable to any other for his doings, he is Supreme to all, Subordinate to none; renders no account of his matters, and therefore moſt irreſiſtible: So as none can demand an account of him, nor none can oppoſe him; he hath ſtrength to impoſe this Law where he ſees good. For thoſe Laws are very inſignificant, that have not ſome kinde of impoſing force going along with them, to faſten on the inward man a Conſcience of Duty; or on the outward man, by reſpect to Rewards or Puniſhments.

§ 4. Hence he muſt be moſt wiſe, to will ſuch a Law as is moſt ſuitable to his own nature, and agreeing to that way of Government which is determined by himſelf, as to the created nature of the Subject to be governed: And that it may be ſo, it is requiſite he ſhould be moſt good, and that not only in himſelf, but relatively ſo; *i. e.* to have the greateſt obligation to diſtribute Bounty and Goodneſs to his Subjects, of which there can be none greater, than of the Creator to the works of his own hands: Neither muſt this Diſtribution flow from any other than a Fountain of freedom and liberty to act more or leſs this way or another, as he ſhall pleaſe, for the manifeſtation of his fore-determined Glory. And then laſtly, which way ſoever the glory of this beſt being, Legiſlative, Executive, or other, be demonſtrated on the Subject (ſo much at his diſpoſal) it muſt needs be granted, that this is the beſt and wiſeſt way for the manifeſtation of that Glory fore-intended in the diſpoſal of the Creature: His will and pleaſure being certainly the moſt exquiſite and abſolute prime Rule of all goodneſs; therefore, as it is unqueſtionably the moſt abſurd and irrational preſumption in man, to aſſume to himſelf, or lay the leaſt pretended claim to this Supremacy or Soveraignty of Law-giving; ſo it may not be attributed in the leaſt to any but God alone, the firſt, abſoluteſt, wiſeſt, beſt, and moſt independent Being.

§ 5. A *Legiſlative* Power may be alſo ſuch as is limited by, and ſubordinated to the will of a ſuperior Legiſlator; and therefore the power of ſuch an one is not of himſelf and primitive, but derived from ſome other: Neither is it bounded by his own Pleaſure, but by that of another, to whom he is accountable; becauſe he himſelf is liable to a Law, which Law he may tranſgreſs, in giving ſuch Laws to his Subjects, which he is not commiſſionated by his Superior Law-giver to give; and *Ergo* muſt not make Laws *Pro arbitrio ſine limitibus*, his *arbitrium* being received from another, and the bounds allotted it, as to all *Jus agendi pro beneplacito*; he may act indifferently this way, or that way, in ſuch a compaſs; but if he paſs the Line of his Circumference, he becomes a tranſgreſſing Ruler. He ſins againſt his Superiour, and wrongs his Subject.

§ 6. Hence (this ſubordinate Legiſlator thus trangreſſing) the Subject being conſcious and clearly convinced thereof, he is diſobliged from all active obedience unto any ſuch uſurping or tranſgreſſing Laws. A Chriſtian's firſt and greateſt obligation being to the Supream and Soverain Power, as a Citizen in a Town-corporate is firſt bound in obedience to his Prince, before he is to the Mayor or Bayliff of the Town. An Officer ſubſtitute by the Prince, and removable at his pleaſure, (it's not ſo in natural and contracted Relations) knowing his obedience to the King, will ſufficiently juſtifie his non ſubmiſſion to the will of the Mayor.

§ 7. Again, the Subject is obliged to obey the Laws which the inferiour Law-giver makes lawfully, (*i. e.* according to his deputation) not *Simpliciter & gratiâ illius*, but primarily and moſt properly for the ſake of the ſupream Law-giver whoſe Subſtitute and Repreſentative he is, *Rom.* 13. 1, 4. 1 *Pet.* 2. 13. and they are ſo far to be obeyed, but no farther to be owned as lawful Governours.

§ 8. Thus much of a Legiſlative Power in general. An Executive Power is a Power of putting in Execution a Law made, or the practical Application thereof according to the manifeſted will and intendment of the Law-giver. Therefore the power of Execution is always a *ſecundary* and derived Power, in reſpect of the Power of *Legiſlation*; becauſe it ſuppoſeth a Law made, and the will of the Law-giver to put it in practice; which Will is the ground of Execution, but is not actually begun till the promulgation, and a poſitive injunction binding unto practice: and is compleated

pleated either in performing acts of obedience, and receiving the Law-encouragements; (this is chiefly on the part of the Subject;) or in case of disobedience, by executing the vindicative part of the Law, which belongs to the substituted Executioners to do, and the Subject to submit unto. So that all Laws are satisfied in obedience, and giving the stated reward thereunto; which satisfaction, *Ergo*, partly depends on the Subject, partly on the Ruler executing; or they are dissatisfied in disobedience, & therefore righting themselves in executing the minatory part on Offenders. Hence all Laws are capable of being satisfied or fulfilled, as to their whole intent and purpose, one of these ways, in Active or Passive Obedience on the part of the Subject; and the faithful discharge of the executive Power by Governours in the due distribution of rewards and punishments.

§ 10. Hence *Executive Power is Obediential or Judicial. Obediential* is an executive ability in the Subject bound; for by his obedience unto the Law, he executes and fulfills the will of the Law-giver, most properly as to the first intentions; for the first end of the Law, and designe of its Maker, is actual Obedience, and both in the Command and Penalty annexed. And in this sence the meanest Subject doth put in execution the Law of his Soverain, at least in administration of *commutative Justice* towards the Magistrate; in rendring him his own, as well as towards his Fellow-subjects, in doing justice to them.

§ 11. *Judicial executive Power* is when the *Law-giver* or his *Substitutes*, judging of Obedience or Disobedience, as to matter of fact, do judicially determine the same, by and according to the true intent and meaning of the Law; and finding Obedience, distribute the due rewards and encouragements thereunto; and judging of Disobedience *omissive or commissive*, do inflict all penalties in such cases by the Law provided: The faithful discharge of which Trust, belongs to Governours, and is rightly called Distributive Justice.

CHAP.

## CHAP. III.

### *Of Christ's immediate Legislative Power.*

§ 1. THough Christ be King of Kings and Lord of Lords, in respect of all the Rulers and Principalities in the world visible and invisible, yet there is a special Dominion reserved to himself, as peculiar in many respects, so in this, that he hath not committed the management thereof to others in juridical affairs, in two respects, *viz.* in *Legislation and in Deputation* of executive Ministers. This is a *Diamond* in the Crown of his Prerogative as Mediator and sole head of Conscience and Church, which he purchased and cleansed with his Blood.

§ 2. That unlimited Supream Power which is every where ascribed to God, is Christ's; not onely as God the second person in the *God-head*, but as *Mediator God-man*, constituted by the Father Head over the Church, and over all things to the Church; see *Ephes.* 1. 21, 22. *Matth.* 28, &c. *Ergo*, he exerts this power not onely as *Creator*, but as *Mediator*, and as such a Legislative power belongs to him, not onely properly and *primarily*, as being the *political Head* of his Church; but *secundarily* (for its sake) he exerts such a Power over all Societies in the world: and having this supream Legislation in his hands, he can make what Laws he please, and substitute others to what Law-making-power he pleaseth to entrust them with, or determine how far in that kinde they may act at their discretion or arbitrement. So that Christ rules his Kingdomes either by his own *immediate Legislative administration*, or *mediately* by inferiour limited Law-givers; he rules by himself, or by others.

§ 3. His immediate rule is especially to be considered as more General or more Special, as he is *Creator*, or as he is *Redeemer*. God as Creator of all natural Agents, he onely can command his Creature what it must do in order to those ends for which it was created; and this government of natural Agents, is in a sense of a Spiritual nature, proceeding in a spiritual manner from a glorious Spirit for spiritual ends, *viz.* the glory of Gods Soverainty, Power, Wisdom, Goodness, *&c.* all the Creation praising him, and *ascribing Glory and Honour*

*unto*

*unto the Lamb*; which Glory is subordinated to that which shines forth more resplendidly in his Church; and he disposing all things in order to his advancement therein to the highest honour and dignity, this Government of Christ may be said to be a spiritual Rule and Government.

§ 4. This *General Government* may be consider'd, as he rules *intelligible or non-intelligible Creatures*; these he rules by the Instincts of Nature, (which may be and are called his Statutes and Ordinances) which are no other than the impression of the Will of him that made them: As in a Watch, or any piece of curious Mechanism, the minde of the Workman is plainly read in all the parts thereof. He ruleth *intelligible natural* Agents, such as Angels and Men, by higher Laws. What the Law of Angels is, we shall not discuss now, nor determine; but that they are Govern'd by a Law, I doubt not but may be proved, both from the sin of them that fell, and otherwise; for *where there is no Law, there is no Transgression.* The Law ruling Men, as rational Agents, is a Law of Manners, ruling all humane motions that are *cum electione*; for some natural motions in man are *per necessitatem Naturæ*, as the running of the Blood in the Veins, *&c.* but these are under the Gubernation of natural Instinct. And as God fastens his Law of Nature by instinct on the *unintelligible Agents*; so on Agents *per electionem*, he fixeth his Moral Law by Natural Conscience, which is a kinde of rational moral Instinct, whereby the very Gentiles *that have not the written Law*, are in a great measure convinced of the nature of it, and their Duty in obedience thereunto, *Rom.* 2. 13, 14. and in this sence he *enlightneth every man that cometh into the world*, Joh. 1. and from this Law of moral Light closing with natural Conscience, ariseth *accusation* or *excusation*, according to the *obedience or disobedience* yielded thereto, whereby Christ in a manner rules in all men, at least laying a claim to his right of Dominion, so much disowned and rejected by the prevailing Law of sin; and this may be ascribed to Christs *spiritual rule*, it being his peculiar Prerogative to govern in Conscience; and notwithstanding sins rebellion in all natural men, yet Christ there retains his seat of Judicature, and as he judgeth and condemneth now, so he will by the same Law prove them unexcusable at the last day.

§ 5. The more special *immediate jurisdiction of Christ*, is his most proper *spiritual*, *mediatorly* administration of rule towards his purchased ones; and this is twofold, in or over *persons particularly*, *or in and over bodies politick. In and over particular persons* his Throne is the same

ſame (*viz.* Conſcience) in the *regenerate and unregenerate*, onely he rules theſe *legally*, and the other *evangelically*; theſe by a Law of Fear, them by a Law of Love: merely natural men, by a diſpenſation of the Covenant of Works; Believers, by a diſpenſation of the Covenant of Grace: And here *the light of the glorious Goſpel of Chriſt rules in a Chriſtians Heart*, and the Conſcience according to rule acquits or condemns. Neither is the true regulating force of the Moral Law any way extinct, but the terrifying embondaging nature of it removed, or at leaſt abated, any remainder of which is called the *Spirit of Bondage*; neither is there therefore two Laws in a Believer, *Moral and Evangelical*; but the Moral Law is evangeliz'd to him by his new *relation to Chriſt*, the *Curſe* being taken away due to the ſinner, and he coming under another obligation to an obediential conformity to the Law; *viz.* the greateſt ties of love and thankfulneſs; and hence his Obedience is called *New Obedience*.

§ 6. Another part of his ſpecial and *immediate Government* conſiſts in his giving Laws to his Church Militant, and deputation of Miniſters for execution thereof; and therefore he is called *The Head of his Church*, Eph. 1. 22. Hence his Apoſtles and Prophets durſt not teach any thing but what they had immediately from him either by word or tradition, *Matth.* 28. and we may boldly aſſert, as *James* 4. 12. there is but one Law-giver; and though it be ſo plain and indiſputable a truth, yet becauſe men of corrupt mindes, by practice and argument, have made it their great aim to rob Chriſt of this Prerogative; we ſhall make it the principal part of the enſuing Diſcourſe to illuſtrate and confirm this poſition againſt all *humane Uſurpations*.

§ 7. Chriſt's *immediate Government* of his *Church Militant*, is not to be underſtood as if he had not appointed the *executive adminiſtration* to be by Paſtors and other Officers deputed by himſelf, as appears from 1 *Cor.* 12. 28. *Epheſ.* 4. 11, 12. but the meaning is, that it is *immediate*, theſe two manner of ways. 1. In that he hath not authorized or commiſſionated any ſuch Officers or Governours on earth, who may compoſe and enact new Laws for the diſciplining of his Church in the order and manner of his inſtituted Worſhip; his own Laws here are onely binding. 2. In that all Church-officers receive their *executive power* from Chriſt immediately (*nullo Papa aut Epiſcopo mediante*) neither have any of them any power of *deputation* or *ſubſtitution* of others to execute that Office or Power committed to themſelves by Chriſt. And herein lieth the oppoſi-

tion between Christ's *immediate reign* in his Church, and *his mediate* in the Kingdoms of men; and for this, amongst other differences which *Amesius* makes between the *Magistratical and Ministerial* jurisdiction, he saith, *Magistratus jurisdictionem habet cum Imperio, atque adeo (si summus sit) justâ ratione possit leges condere & abolere, atque jurisdictionem aliis mandare. Sed Ministri Ecclesiastici in sese considerati, sunt mandatorii meri, qui proprii nihil habent, sed quicquid legitime agunt, id omne vice Christi mandantis agunt, atque adeo neque leges possunt ferre, neque aliis mandare potestatem illam quam acceperunt.* Medul. *lib.* 2. *cap.* 17. § 48.

§ 8. The chief of our assertion about the immediate Government of Christ concerns his *Legislative power*, that where-ever he governs in this manner, he hath reserved the *Law-giving-power* to himself, as his peculiar Prerogative as to natural Agents. Who can give and prescribe Laws, for such orderly and natural direction of them to their several places and ends, but the Creator alone? Who can give Ordinances to the Sun, Moon, and Stars; set a bound to the Seas; command the former and latter Rain; appoint the vicissitudes of Day and Night, Summer and Winter, Spring and Autumn? *&c.* and would not such a Creature be justly chargeable with the greatest folly and presumption, that should pretend to such a Power? and therefore God challengeth *Job* on this account, *Job* 38. As for Conscience, all are witnesses that will deal but impartially in the acknowledgment of the truth, that there is nothing lays a true obligation thereon, but a Divine Law; neither do Humane Laws any farther binde Conscience, than they are dependent upon, or reducible unto some Divine Law; and therefore all true obedience to them is for the Lords sake. As for the Church, he always prescribed what Law and Rule he would have the affairs thereof managed by. The Church of the Jews had her Laws from Christ, though under a more legal and typical Dispensation, executed in the *ministration of* Moses, and of other Ministers of his own appointment in that *Levitical Oeconomy*. So in the *New Testament* he sent forth his Ministers to teach onely such Laws and Orders of his House as he himself had instituted and appointed; and he is compleat in that respect in his House, which in some respect is more properly his, (the Old Testament-Church being called *Moses*'s house) because the will of Christ is here more plainly and fully dispensed, and administred more immediately; Christ acting there by the ministration of *Moses*, for the delivery of Levitical Laws, and for constitu-

constituting and ruling the Body Politick of his Church: but in the latter days of the Gospel, God spake to us by his Son Christ immediately himself, delivering the order and manner of the Gospel-Church when he was here on earth; and after his Ascention, by his Spirit inspiring his Apostles and such as were extraordinarily qualified in the primitive times, since which he hath managed that Government by his ordinary Ministers, acting according to the Rules and Prescripts left behinde him in his holy Word.

## CHAP. IIII.

### *Of Christ's Mediate Legislative Power.*

§ 1. HAving somewhat treated of the *immediate Jurisdiction* of Christ, it's needful to speak a little of his *Mediate*, viz. how far he rules Bodies Politick by the mediation of man, or hath committed a power of law-making and executing unto him; and to shew that mans power cannot be *indefinite and unlimited*, but *derivative and limited*: and for the illustrating hereof, we are to examine whence man hath his Civil Power, and how far it extends.

§ 2. All Civil Powers have their just Authority from Christ the King of Kings, *the Head of all Principalities, Powers, Body Politicks, Societies*, as is manifested by the following Scriptures and such others, *Prov.* 8. 15, 16. *Dan.* 4. 25. *Rom.* 13. 1, 2, 4. wherefore it is the manifest will of Christ, 1. That there should be Civil Government in the world. 2. That the personal possession of it be received by the all-disposing Providence of God. 3. That it's an Ordinance and appointment of Christ, that such *execute distributive Justice for the encouragement of Well-doers, and discouragement of Evil-doers*. 4. That in the faithful discharge of this trust, *they are Gods Ministers attending his work*.

§ 3. As the King of Kings hath given Magistrates their power, so he hath set them their bounds of Government, insomuch that they be not *Plenipotentiary*, but are liable to the Law of the supream Law-giver; which they may transgress, in respect either of the Laws themselves, or of persons subjected to them. In respect of the Laws two ways, in *Law-making, or Executing*. In Law-making

these ways. 1. When they presume to enact such Laws, as directly cross any of Christ's Laws, either the Law of Nature, to enjoyn unnatural things; or when he by his Law shall contradict the Moral Law, or any Appendix thereunto. Or lastly, controul the Laws of Christ for the Oeconomy of his Church, *i. e.* in making any Laws to obstruct the execution of Christs Laws, according to his revealed Will. 2. He may transgress in Law-making, by entrenching on the *Legislative Prerogative of Christ*, either in respect of *Moral Obedience*, or *Instituted Worship*, or any Forms or Rites thereto belonging. 3. In failing to Enact such useful and necessary Laws, as are needful and requisite for the right ordering or management of the Commonweal, or particular Subjects under his Dominion. He may fail and transgress in *Law Executing*, either in a slack or careless execution of good Laws, or undue application of them, or partial distribution of Justice by them, all which is *Injustitia:* or he may fail in too vigorous and extreme prosecution, and so be guilty of *Summum Jus*, which since the Fall is *Maxima Injuria*, because there is no allowance or abatement for the natural failings and weaknesses of the Subjects obeying.

§ 4. As he is liable to transgress as to Laws, so also as to persons; 1. By *a partial Execution of Justice*, with respect of persons. 2. In pressing the power of his Law further on persons than Christ ever permitted, as in endeavouring to impose on Conscience, and bring it into thraldom, by forcing men to ambiguous Oaths, Declarations, or Subscriptions. 3. When he useth his Power for the obstructing and hindering the Members of Christ in the use of those Priviledges, or lawful Liberties, granted them by Christ himself.

§ 5. Whence it appears, That the *Civil Magistrates Jurisdiction* is limited to the *Civil State*, and to all persons and things considered in *a Civil capacity*. And thus far he hath Power over the persons of Christians, and particular Churches whilst Militant; so far as they are persons and Societies laying claim to Civil Rights and Priviledges, or capable of doing or receiving wrong and injury, being men subject to Passions and Failures with the rest of Mankinde. A Christian is subjected (as hath been said) to a twofold Jurisdiction, *Internal* and *External: Internal* respects the Jurisdiction of Conscience, or God's ruling man by it; and here is an impossibility of any third persons interposing between God and us. The *External Regiment* to which a Christian is subjected is *Political*, and that by God's Ordination is twofold; *viz.* Of the Body *Civilly Politick*, and

*Spiritually*

*Spiritually* or *Ecclesiastically Politick*; this is subjected immediately to the *Ecclesiastical and Spiritual Gubernation* of Christ alone; the other *immediately* under the Rule of the *Civil Magistrate*. Now the contest between these two *Polities*, hath been the Original of most of the Trouble in the Christian World. Since Christ's presence here on Earth, it hath always been mans presumptuous Ambition to sit in his Throne, more or less. Sometimes Secular Dignities assuming to themselves *Legislation* in matters of Divine Worship, whence hath arose so great Persecutions from Magistrates; because Christ's Followers refused to betray or deliver his Prerogative into their hands, and judged themselves bound to obey God rather than man. Again, sometimes usurping Officers in the Church, pretending to a derived Power from Christ, have assumed the place of Christ himself, in and over his Church, justling him (as much as in them lay) out of his Throne; hence hath arose the *Antichristian Usurpation*, tyrannizing not only over Bodies Politick, but over Conscience it self: and (as a just Judgment on Civil Powers, which *will not kiss the Son, but break his bonds*, and abuse his Churches and Members) have bin permitted by Christ to set their feet on the necks of Kings and Governours of the Earth; the intolerable burthen the Earth groans under, and hath done for many Ages: and were they but removed each into its proper sphere, *i. e.* were but the Churches of Christ eased of Civil Usurpations in some Nations and Commonwealths, from Ecclesiastical in other, and Conscience delivered from the rapes, wrongs and injuries insolently offer'd to it from both, the Christian World would become such a Paradise of Felicity, that scarce yet hath bin since the Infancy of the Gospel-Church; and without such reducement of the World to the due Liberties of Church and State, we cannot enjoy that worldly Felicity which a good man is capable of.

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|---|---|
| Ὅικοι μένειν χρὴ, καὶ μένειν ἐλάθερον, | *A good man aiming at Felicity,* |
| Ἢ μηκέτ' εἶναι τὸν καλὸν ἀδαίμονα. Menand. | *Would either dye, or at his home live free.* |

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## CHAP. V.

### *Concerning the Nature of Conscience.*

§. 1. HAving thus far briefly enquired concerning the *Jurisdictions* a Christian is bound in Duty to submit unto, *viz.* Christ's, and

and *Cæsars*, and though he is conscientiously to subject himself unto both, yet Christs Authority is to be preferred, and he is to have his due in the first place; because all others who derive all just and rightful Authority from him, are limited by him, and must give an account unto him: Therefore we say with the Psalmist, *Give unto the Lord, O ye mighty; give unto the Lord the Glory due unto his Name.* And as commanded by Christ, *Seek first the Kingdom of God and the righteousness thereof*, &c.

§ 2. The first thing then here to be done, is to vindicate the *Soveraignty of Christ*, both in the persons of particular Christians, and in Ecclesiastick Bodies Politick, in both which he hath reserved the Legislative Power to himself, and never yet committed it to any other. And first of his Power in Conscience; and that it may the more clearly appear, that Christ only rules in Conscience, it is needful we a little explain the Nature of Conscience, and then proceed to prove, that the Jurisdiction of it belongs to Christ alone

§ 3. Conscience taken strictly *(secundum notationem nominis)* is a Knowledge together; *i. e.* A mans knowledg of himself and his actions, together with another who knows the same with him; or as some think, the knowledge of his *Actions*, together with the *Rule* by which they ought to be squared and directed; which knowledge must be placed in the Understanding of a rational Creature. Mr. *Perkins* saith, *It's a part of the Understanding.* I had rather say, it is *Modus Intellectus*; for the Understanding acts *per totum, non per partes.* This is that *Spirit of a man, which knows the things that are in a man*, 1 Cor. 2. 11. But it's not all kinde of Intelligence, but some only in particular. 1. Not a *Theoretick* Knowledge, but a *Practick*; and therefore always referring to some *Action*, or *Omission.* And 2. It is not referred to another mans affairs, but his own whose it is. And lastly, it is not a mere apprehension or suspicion, but a knowledge, always at least of the fact, and often determines by the Rule known of the Legality of the fact, and so passeth Judgment, and thence is called *Judicium*; but sometimes Conscience is doubtful here, and thence it is called a weak, doubtful, and scrupulous Conscience.

§ 4. It may be therefore thus described: *Conscientia est modus Intellectus Judicialis practicus. Conscience is the Understandings Judicial manner of proceeding concerning our selves and actions.* A man in Conscience, as God's Substitute or Deputy, sits in Judgment upon himself; first inquires as Jury of the matter of fact, whereof according to Self-evidence, he is found Guilty or Not-guilty, and according

cording to the Law manifested, is acquitted or condemned. This Judgment of Conscience may be considered in the power and act; a man may have a Conscience-power, which doth not exert and put forth act; as a Man in Infancy or in Sleep; *Ergo*, it may be called *Potestas intellectiva*, Intellectual Power reducible into act. Again, Intellectual Power is either *Intuitiva vel ratiocinativa*; that is, the intuitive, which is the Vision or Understanding of a Truth *Axiomatically*, or in the Abstract. *Ratiocinativa*, which is looking on several Truths compared together, and one Truth being laid by another by way of Collation, produceth a third Truth, which we call a Conclusion or Inference. The first and general truth that comes to the knowledge, is the Law of God, which is brought to us by the light of Nature, or by the Word of God; which way soever it comes, it's enough to give it a throne in Conscience, that it be certainly known to be God's Law. Nextly, that our actions are laid by this Rule, or brought before this Judgment-seat; which two being solemnly brought together, a third necessary Truth or Judgment according to truth, doth result, and is accordingly pronounced; the certainty of which depends on the certainty of the *Premises*, or at least the exact and just comparing them together. The Understanding thus behaving itself, puts on the nature of actual Conscience, or Conscience in act, bringing the habitual or potential Conscience into acts in this manner, either concerning a mans state or actions. Concerning a mans state, *The Soul that sins shall die*: I have sinned, *Ergo*. Or concerning his particular actions: He that committeth Idolatry or Adultery, *&c.* breaketh God's Law; but I have committed such and such an act which is so, *Ergo*,

§ 5. Hence Conscience ruled by Christ's Prerogative, *is the practical reasoning Understanding*, ( or *Modus intellectus practicus* ) in man, whereby a judgment may be passed concerning a mans self by himself, according to his apprehension of the revealed Judgment and Will of God; its *divine Authority* that rules in mans Heart, as to the *approbation* or *condemnation* of himself or actions. The Conscience of the very blinde Heathens admit of no other power to acquit or condemn in this kind, but either the convincing light of the moral Law written in them, or some supposed false Divine light which by reason of the blindness of their Hearts seduceth them to false Worship and Idolatry.

§ 6. The *method of Conscience* his acting is thus; first, there is the general undoubted truth known or assented to as such; and it's either

that

t n at which is really so, or supposedly so only, and not so really; if it be the latter, it's the main foundation of an erring Conscience. It is the prospect of some apprehended Divine Truth or other *Moral*, *Levitical*, or *Evangelical*, which obligeth us to acts of Obedience; and this Law-obligation laid by God on man, is called συνθεσις, i. e. *the Proposition* of a practical Syllogisme made by Conscience. 2. There is the *Application* of this Truth to our selves, either as to our state or particular actions, according to our own knowledge, (together with God's) to judge of our *Conformity* or *Non-conformity* to the said Law-obligation, and therefore concerning the goodness or evil of our Actions: and here we take the *Candle of the Lord in our hands to search out* and examine our condition and actions, in relation to good or evil; and herein doth the chief nature of Conscience consist: because it's a submitting ourselves and actions to the judgment of God's Law, and is therefore the Assumption of this practical Syllogisme, and is called συνειδησις, and is *an Index*, *Record*, *Testimony*, *Witness*. 3. There is the *Crisis*, *Inference*, or *Conclusion* necessarily deduced from the Premises, and this is called the Judgment passed upon our state or actions. Thus we have the whole *Syllogisme* which the understanding makes in this way of acting. The Proposition is *de Jure*; the Assumption *de Facto*: the Conclusion is either a justification of person or action, or it's a condemnation of any of them found guilty.

§ 7. The *Synteresis* is the light of Truth contained in the Law (*Notice recepta*) *sive practicum Axioma cum assensu intellectivo perceptum*; *A light received into the understanding with assent thereunto, or acknowledgment thereof as such.* A Law may be understood as to the *mattter* of it, but not believed as *a Truth*; it may be known as *a Truth*, but not owned as *a Law*; yea, it may be acknowledged as *a Law*, but not yielded to as *divine* and *authoritative* enough to binde to Obedience; yea, it may be owned as *a Law of God* binding some people, and at some times, but not ourselves, or *at all times*. But unless the Truth taken for a Law be thus circumstantiated, and so received by us, it hath not force enough upon Conscience, as a Law binding to Obedience. So that *Synteresis* differs but *ratione* from the Law itself; for it is the Law of God understood and yielded to as obliging unto practice, and it's not only the Law in its Letter and first Principles, in its *Original positive* nature; but in its *aptitude* to particular Cases, and in its just Inferences and Consequences deducible from generals thereof, all practical Truths pleading Divine Authority, justly obliging us to belief.

§ 8. That

§ 8. That which ſtirs up the Underſtanding to compare Conditions and Actions with the divine Law in the aſſumption by a practical enquiry, is a certain obligation which this Law-light hath the Heart of man under, that it doth by a kinde of natural inſtinct act in the manner above-rehearſed; which obligation is a neceſſity laid on the Underſtanding of owning and aſſenting to every known Law of God, and thereby to make a practical diſquiſition and judgment accordingly. The reaſon of this *obligation* lieth much in the neceſſity of the object: And firſt the natural inclination the Underſtanding hath to every known truth as ſuch: but this is not all; for truth that obligeth to credence from the evidence of it, obligeth not to *Practice* and Obedience, having not a ſufficient authority from whence it comes, or not laying on us a neceſſity of obeying, and therefore it muſt binde as a Law-truth, challenging its ends by *promiſes* of *rewards*, or *threats* of *puniſhment*. Again, 'tis from a principle of *ſelf-love* and preſervation. Seeing our ſelves liable to a Law, and ſuch a Law that can do us good or hurt, we are bound by this firſt principle of nature to make an impartial enquiry into our conformity, that we may be ſatisfied of our own ſafety and danger, every one being deſirous in this caſe to know the worſt of himſelf. Moreover, ſeeing that all Law that bindes is backed with ſufficient power to put it into vigorous and impartial execution; and that which prevails ſo much with Conſcience, is the Law-givers abſolute power to ſave and deſtroy. He can puniſh the whole man, *Body and Soul*, which no humane Power can: So that the Penalty being great, and the power of the Law-giver infinite, it muſt needs lay the Conſcience under a very ſtrict bond of enquiry. Likewiſe if we conſider, that 'tis not onely a ſufficient power for *Execution*, but an *unlimited power* of law-making, wherein his Soverainty doth chiefly conſiſt; which Soverainty, as it is moſt *ſupream*, ſo it is moſt *juſt* and *good*; and therefore this obligeth, becauſe God can make what Law he will, and he cannot will to make any Law that is not fit for his Creature to obey. Hence his Laws have always a neceſſary innate goodneſs in them, becauſe they flow from him who is *primarily*, *abſolutely*, and *independently* good, *Ergo* muſt be, cannot but be, *holy*, *juſt*, *and good Laws*. Wherefore the impreſſion of the goodneſs of a Divine Law is firmly fixed on mans natural Conſcience; however corruption may attempt the blotting it out it cannot totally do it; but thoſe who are renewed by Grace, muſt needs ſee another gueſs luſtre in it, ſeeing not onely Divine goodneſs

ſtamped on God's Law, but *Goſpel-goodneſs*: Not onely the *ſuitableneſs* of his Commands to his *Creature*, but to a ſinner, *viz.* the love of God ſo evidenced in giving and requiring his Law in ſuch a way of Grace and compaſſion, that it engageth them in the higheſt meaſure to *Obedience*, yea, *new Obedience*, and their Conſciences to a diligent and narrow diſquiſition thereof accordingly. Laſtly, there is an *innate reverence* unto Divinity, which the Creator hath placed in the Heart of man, whereby the Law of God hath more command than any Laws in the world beſides; becauſe there can be no greater diſtance than between the Creator and the Creature; and Creation, or giving us being, is ſuch an obligation as none but a Creator can lay upon the Creature; and conſequently our greateſt good either in being or well-being, is certainly hazzarded by the diſpleaſure of our Creator. Thus much of the practical propoſitions of Conſcience, from which of neceſſity follows the particular Concluſion, as hath been ſaid.

§ 9. It remains to ſpeak ſomething of the *diverſities of Conſcience*, which admits of no difference from Divine Law ſimply conſidered, but from the Information or Illumination which the Underſtanding receives more or leſs therefrom. The *leſs enlightned Conſcience*, is either the mere natural Conſcience illuminated onely by the *Light of Nature* without a written Law, ſuch as the Apoſtle ſpeaks of, *Rom.* 2. Or the *legal Conſcience*, though enlightned by the written Law, yet taſting nothing of *Goſpel-freedom* and delivery by Jeſus Chriſt, and therefore in *bondage* to *Moſes*, and not yet ſubjected to the *mediatorly Authority* of Chriſt in *Juſtification*, *Sanctification*, or rules of *ſpiritual* walk. The more enlightned Conſcience, is that which hath received Goſpel-light, and ſubjected thereunto from a true ſence of the love of God in Chriſt, hath ſubmitted his ſelf and ways to the guidance and conduct thereof in his whole progreſs to Life and Salvation. The Conſcience admits alſo of *Magis & Minus*: the more evangelically enlightned Conſcience is that which is firmly ratified and confirmed in Goſpel-truths, and a due application thereof by Faith for comfort and practice; and this is a firm ſtable Conſcience, and of ſuch an one is rightly ſaid that he is a *ſtrong Chriſtian*, one that is rightly informed in his Duties and Priviledges by the Law of Chriſt. The *leſs Evangelically-enlightned Conſcience* is one that hath but a *ſmall information* in the Minde and Will of Chriſt, hath a *ſincere faith*, but little *knowledge*, is not ſo well acquainted with the rules of Goſpel-obedience, nor with his Priviledges

ledges purchaſed by Jeſus Chriſt; and hence ariſeth a *doubting* and *ſcrupulous* Conſcience: a doubting Conſcience or Opinans is in reſpect chiefly of the will and minde of Chriſt, is not fully reſolved concerning it, and therefore at beſt acts but from *Opinion*, is unſetled, and unreſolved, whether the Light directs him this way, or that way; and therefore is unſtable in all ſuch ways, is not carried on with a *Plerophory* and *full reſolution* to perſiſt; and this may be according to ſome Truths and Duties, but not according to others. A Chriſtian may be ſtrong in reſpect of ſome Truths, but weak in reſpect of others; ſo that the ſame Conſcience may be ſtrong or weak, as it is clearly informed in ſome things, and darkly in others; yea, it may be weak at one time, and ſtrong at another, as it receives more or leſs Light. A ſcrupulous Conſcience is chiefly in reſpect of action, concerning which he is needleſly and frivolouſly doubtful, and therefore fearful and ſtarting upon all occaſions.

§ 10. Thus far of the differences of Conſcience, taken from *Syntereſis*; briefly a few words of its differences alſo from *Syneideſis*. *Conſcience* may be diſtinguiſhed from *Syneideſis*, into a *good or a bad Conſcience*. The *good Conſcience* is that which makes a diligent, juſt, and impartial enquiry into our condition and actions, by a due application of them to the Rule or Law-light received by us. An *evil Conſcience*, is ſuch an one as from its enſlavery to a luſt doth not perform its duty aright towards the Law of God or ourſelves, but is either *ſloathful*, and will not take pains to ſearch and examine our Hearts and ways: Or it is *partial*, and will be more ſtrict in ſome reſpects, and leſs in others of the ſame weight and concernment. Or it is *fallacious*, and deals not plainly and fully concerning the matter of fact, but mincingly and equivocally, feigning it to be better than it is in *ſubſtance* or *circumſtance*: or 'tis *ſtupid* and *blockiſh*, not valuing the weight of the Law, or inſpecting the nature of the Action. It may be alſo *troubleſomely evil* (as well as negligently, *&c.*) when it brings in too aggravating a Teſtimony, in accuſing beyond the nature of the Tranſgreſſion, repreſenting the matter of fact more hainous and heavy than it ought to be repreſented. Such a Conſcience may be *Honeſtè bona*, but *Moleſtè mala*.

§ 11. Laſtly, we diſtinguiſh Conſcience from the *Criſis* or Concluſion; and 'tis either *juſt* or *unjuſt*. Juſt, when it denounceth Sentence according to the true intent of the Law, and the true nature of the Fact, whereby it proves to be juſtly *peaceable*, or juſtly *troubleſome* and *tormenting* to us; and when it acquits, is *pacatè bona*.

Or it is *Unjuſt*, when the Sentence is pronounced otherwiſe than the premiſes do require; and when it thus acquits, it's *pacatè mala*; And when it thus condemns, leading many to the very brink of Deſpair, it is *Iniquè & crudeliter mala.* The former is often a *bribed Conſcience*, captivated and carried away with the favour of ſome baſe beloved Luſt and Affection, and a *brutiſh blind heatheniſh Conſcience*, *Jud.* 10. 2 *Pet.* 2. 12. *Joh.* 8. 44. Or a *judicially ſeared Conſcience*, ſuch as is ſpoken of 1 *Tim.* 4. 10. If it be *iniquè mala*, injuriouſly and cruelly evil, it will condemn where Chriſt hath acquitted; and this uſually from too much embondagement to the Law, which may be for a time in Saints and true Believers, and is called the *Spirit of bondage*, Rom. 8. A juſt peaceable Conſcience makes a happy man. A juſt, tormenting, or condemning Conſcience, makes a miſerable man.

Τὸ μὲ συνειδέναι γὰρ αὐτῷ τῷ βίῳ ἀδίκημα, μηδὲν ἡδονὴ πολλὴ ἴσχει, Antiph.

The greateſt Pleaſure he hath got, That on his Conſcience hath no ſpot.

Ὀρέστ᾽ τλήμον, ἥ σ᾽ δηλόωσιν νόσοι; Ἢ συνεσις ὅτι στυγεῖ σ᾽ ἀεὶ κερᾷσ᾽ μιαιφόν. Eurip.

What ſore diſeaſe *Oreſtes* thee hath preſt? It's wounded Conſcience ſure within thy breſt.

## CHAP. VI.

### *Concerning the Dominion of Conſcience.*

THus far of the nature of *Conſcience*, next of the *Dominion and Regiment*, who it is that hath the immediate Rule and Government of it. I ſhall ſhew therefore that the Government of Conſcience is the peculiar prerogative of God alone, and that 'tis Uſurpation for any to enter into that *Juriſdiction*, and the higheſt *preſumption* to attempt it, it belonging to none other by right, nor poſſible for any other to attain: There being none able effectually to enjoyn Conſcience to do its duty in making judicial trials of our perſons and actions but God alone: If at any time Satan or humane Authority ſet Conſcience on work, it's *in nomine Dei, & ſub prætextu divinæ Authoritatis.* And all humane Laws conſcientiouſly obeyed, are obeyed for the Lords ſake, ſuch obedience being commanded of God.

§ 2. That it's Gods onely *Prerogative to rule in Conſcience*, doth appear by many reaſons. 1. God onely *knows* the Heart and Conſcience,

ſcience, and therefore is onely able to give a Law to it, and rule in it; if the one be his prerogative above men and Angels, the other muſt be alſo. 2. It's in Gods power onely to *inflict puniſhment* on Conſcience in caſe of tranſgreſſion. Men may puniſh the *outward* man, but cannot touch the *inward* man. Conſcience is not within the reach of his ſtroak; and they pretend in vain to a power of Law-making, who cannot execute it on the Subject for whom it is made. 3. The Conſcience is *accountable* to none but God, it being his immediate Subſtitute in man; he is Creator of it, and he never ſubjected it to any Law but *for his ſake*; all ſin as ſuch is againſt God, and no trangreſſion of humane Law becomes *morally* a ſin, but by its relation ſome way or other to *Gods Law*, by vertue of ſome of his general or particular Precepts or Commiſſions. 4. There is nothing but the moſt *univerſal or chiefeſt good or evil* can oblige Conſcience to Obedience, or deter from Diſobedience; which none can make us partakers of, or ſufferers under, but God alone. Mens *Stipulations* are never more than *temporal Rewards and Puniſhments*; theſe Conſcience doth not, will not, it's not in the nature of it to ſtoop to them: The concerns of Conſcience are principally fixed on the *Spiritual* and *Eternal Eſtate*, which none but the God of Spirits can bereave it of. Again, as God onely can lay down the firſt Rules of *Truth and Errour* to the Underſtanding, ſo he determines good and evil as a rule of the *Will*, and limitation of man in his *Election*, ſuitable to the nature of a *free* Agent, having an *arbitrary Power* over the *Arbitrium* of mans will, as well as over other things: For as he hath created the Will, ſo he hath determinated the Object that is moſt adequate to it, and not onely in *genere boni*, but in *ſpecie moralis boni*; *Ergo* God is the proper *and immediate* Ruler of the Underſtanding and Will of man in *genere morali*: Likewiſe no trangreſſion of the Laws of man brings any truely-enlightned Conſcience *under guilt* without conſulting the Minde and Will of God. A Childes not doing a Parents command, is not a ſin, (as ſuch) neither will it lay the Conſcience under guilt, any farther than it is a *tranſgreſſion of Gods Law*, i. e. diſobedience to them in thoſe things that God hath enjoyned obedience in. Childrens obedience to Parents *is in the Lord*, ſo Subjects to Magiſtates; for both Parents and Magiſtrates do ſometimes command ſuch things, that it's a *virtue*, and not a *vice*, in Children or Subjects not to obey, ſo that their refuſal be accompanied with all ſubmiſſion, reverence, and modeſty towards their Superiours. No man hath a moral

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Legiſlative power over another; but all men in reſpect of moral Laws, at leaſt fundamentally underſtood, are liable and ſubject to the ſame King and Governour; and to his Tribunal will every Conſcience appeal before it will lie under *true guilt*, whatever the judgement of man is: And though men may torment or kill the outward man, and vex the Spirits becauſe of temporal Sufferings, yet the Conſcience will ſtand or fall onely by the Judgement of God. I may adde alſo, upon what authority we receive a truth of a Spiritual nature, ſo as to believe it by the ſame authority onely, ſhall we ſuffer if we diſobey it? but Conſcience believes no ſpiritual truth but upon Gods authority; *Ergo* it's by his authority onely that we ſhall ſuffer in Conſcience; and this is the reaſon that when men would impoſe their uſurpations, they ſtill bring a blinde along with them, *viz.* a pretence to God's Authority. Thus the Pope and his imitators in ſpiritual things, as alſo Secular Powers, will endeavour (by caſting a nooſe upon Conſcience as it ſtands in relation unto God) to make it ſerve their politick and carnal ends, by tying men up by Oaths indefinite to all their lawleſs Laws and Conſtitutions in Church and State. Laſtly, by the ſame authority, and no other, by which men ſhall be judged at laſt, by the ſame is Conſcience ruled now. Thoſe that ſhall be judged by the Light of Nature, have God ruling and judging in them by the Light of Nature onely; ſo theſe that ſhall be judged by the written Law, and by the Goſpel of Jeſus Chriſt.

§ 3. Now leſt there ſhould be any miſtake of our true meaning about *this Dominion of Conſcience*, let us take notice of a few diſtinctions concerning Conſcience. Conſcience is to be conſidered according to its *internal* and its *external* acting. Its *internal* acting, is its *believing*, *aſſenting*, *concurring*, *judging* between *facti and facti*; or, *disbelieving*, *diſſenting*, *condemning*, &c. and theſe are thoſe that are *Actus eliciti*; and they are not (without doubt) under any humane Law or Power in the world, either to force them where they are not, or to obſtruct them where they are. As men may not preſume to do it by any external compulſion, ſo there is an impoſſibility in the nature of the thing, that it can never be accompliſhed. 'Tis onely God's Prerogative to charge us to believe under a *penalty*, and the light of Truth carries demonſtration with it to challenge our *aſſent*, and call forth our underſtanding to a free acting, unleſs we be inveloped in the darkneſs of corrupt nature, or captivated in ſlavery to any Luſts. Neither is it in the power of man to remove this

this vail, it's God onely by the light of Truth, working by its prevailing evidence, and the mighty operation of the divine Spirit, which way it pleaſeth, that can effect this. Hence he that makes a penal Law, that this or that thing is a truth, and to be believed by me, to be aſſented and conſented unto, and doth endeavour to compel me to ſuch a belief and aſſent by the threats and puniſhments of this Law, doth uſurp a power that was never given unto him by God, neither was ever practicable to effect the end pretended to.

§ 4. Secondly, There are external acts, ( *Actus imperati* ) of Conſcience, as *profeſſing*, *ſubſcribing*, *declaring*, *doing*; but theſe are not properly acts of Conſcience, but from Conſcience, as they ought to be under the *Rule and Dominion* and direction of Conſcience, and will come to be duely conſidered in this place, whether any man may be thus compelled by any *ſubordinate Power*; and doubtleſs there is none that can compel a man to act *from Conſcience*, no more than he can compel him to underſtand or will what he pleaſeth: for though the acts are external, and may be compelled *de facto*, and in ſome caſes *de jure*, the principle of good or evil actions, *viz.* from Conſcience, cannot be compelled: the relation it hath to Conſcience is *internal*; as if a man be brought and forc'd upon his Knees before an Idol, *&c.* it is no formal act of Conſcience, for that ſtill reſiſts and oppoſeth the action; though it's improperly called a *forcing of Conſcience*, when a man is thus forced to an action againſt his Conſcience: Indeed he is forcibly induced through fear, or ſenſe of ſome evil, to do or omit ſomething againſt his light and conviction; and the choice is alſo free, he being attended with ſuch circumſtances; yet it is ſaid to be compelled, becauſe the argument of a *Penalty* to be incurred upon refuſal, is very ſtrong to reach fleſh, to prevent the ſuffering of which, the Will is carried away to chuſe that as a *comparative good*, which the enlightned Underſtanding allows not as lawful, nor the Will as *abſolutely good*; and this is that compulſion of Conſcience which is moſt uſually found in the world. And here it will be enquired whether any Subordinate power can lawfully compel us to ſuch imperate acts? *Anſ.* 1. I ſay men may make and execute *de jure*, ſuch a Law as many cannot in conſcience ſubmit unto by way of *active obedience*, ſo that it be really ſuch as the great Law-giver hath allowed them to make, and it be agreeable to the rules and limits of power committed to their charge, and the reaſon of refuſal be the *weakneſs*, and *ignorance*, or *prejudice* of the.

the Subject, or else no Laws could be made or executed in the world; for one or other that should obey, would be pretending Conscience against it: and here the Subject is to submit either *actively*, if after sufficient *illumination* he findes the goodness and justness of the Law-giver. If he doth not, he is to refuse to act, if he is perswaded it's utterly unlawful; but if it be doubtfully so, he is to suspend his acts till he is better informed, and patiently submit to the Magistrates will and pleasure in the Penalty-execution: but if any Power endeavour to enforce obedience, that no Power enacting may lawfully do, and require us and force us with penalties, it's questionless very great Usurpation. We must also consider the matter about which this compulsion may be conceived to be. No Magistrate may compel to any thing against Conscience, *quatenus* such, *Scil.* under the formality and notion of being against Conscience, that were the greatest Tyranny in the world. Or we may understand it of compelling under the notion of Truth, and so a Faith must be enforced, which no man is capable of accomplishing this way. Or, Thirdly, under the notion of Duty, not respecting how the Consciences of persons stand affected in relation to it on whom it is urged: And thus the Magistrate may compel to the doing of good, or avoiding of evil, by penal Edicts, though accidentally it may be against the Consciences of some on whom it is imposed; for the Magistrate being not a competent Judge of mens Consciences, he cannot make other mens Consciences the rule of his Laws and Executions, but the *will of the Lord*, whose Ministers he is, and the *good of the Commonweal* that is committed to his trust. The Magistrate is not to command or forbid any thing under the formality of being with or against Conscience; but he supposing that the Consciences of his Subjects are convinced, being sufficiently pre-informed, may command any thing to be done or forborn, according to that latitude of Rule and Government which he hath received from the Lord whose Minister he is; for the right knowledge whereof, he ought sincerely and impartially to consult the *Word of God* and his own Conscience, and so to take the measures of his own Duty and Actions: Neither is his Conscience the *Standard* to his Subjects; for *every one must give an account of himself to God*; the Magistrate for himself, as a Magistrate; and the Subject for himself, as such; and therefore the Conscience of the Magistrate doth not binde the Subject to active obedience, though his relation to him as such bindes him to *Subjection*, which

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is abundantly ſhewed in his quiet and peaceable ſubmitting himſelf to the Law-penalty; if he cannot ſatisfie himſelf that the Magiſtrate acts in his place according to the revealed Minde and Will of God in ſuch caſes provided; which caſes alſo are always to be of a *civil* and *politick* nature, for here he hath power *compulſory* of the outward man *mandatory*, or *prohibitory* though the Conſcience of the Subject is or may be pretended to be againſt it.

§ 5. And now that all cauſe of exception may be removed on all hands, it will be requiſite more explicitely to ſhew how far a Chriſtians Conſcience hath to do with *humane Authority*; and we grant that *humane Authority* in civil and politick affairs is *an Ordinance of God*. 2. That if the Law be juſt and equitable, a Chriſtian is bound in Conſcience to yield politive active obedience, not onely for *wrath*, *i.e.* fear of threat and puniſhment, but for *Conſcience ſake*, becauſe the Law of God obligeth us to obedience to all the *juſt Laws* of men, *civil Government* being his appointment as much as *Oeconomical*; but it's not mans Law that nextly and immediately bindes Conſcience to obedience, but Gods, and mans Law bindes onely by vertue of, and for the *ſake of Gods*. Hence a man that breaks the juſt Laws of man, *ſins againſt God*, and, *eo nomine*, wrongs his Conſcience. As on the other hand, he that obeys an *unjuſt Law* of man, *i.e.* a Law no way warrantable by the revealed will of God, *breaks Gods Law*; and if his Conſcience tell him ſo, he ſins againſt his Conſcience, which always aggravates any ſin againſt God. Hence, if at any time he hath to do with any ſuch Law, he ought rather to run the hazard of mans diſpleaſure than Gods. *God is to be obeyed rather than man*, if one muſt be diſobeyed; and obeying God *indemnifies Conſcience* from the guilt of ſin in our diſobeying of man in the ſame act. So if a Law of man lies before us, which we doubt concerning the lawfulneſs of, we are here at leaſt to *ſuſpend* active obedience while we ſeek for further *information*; for whether the thing in it ſelf be ſin or no, it's not ſo much to us at preſent, as whether we are ſatisfied of the nature of it, and know what it is by the light of Truth ſhining in our Hearts: it will amount to ſin in us to do a *doubtful action*, if the Apoſtles Doctrine be true: But if the Precepts of men be found upon the beſt examination to be contrary to God's, a Chriſtian's Conſcience is the moſt certainly diſobliged, his duty lies plain before him. God's Law is to be obſerved; and hence it is that ſome can *joyfully ſuffer* all wrongs from the hands of men in the caſe of refuſal of active obedience

unto their Laws, becauſe they are perſwaded either from a *truely-inlightned Conſcience*, or from an *erring*; (which is binding as to preſent action; for a man muſt walk by that light he hath, or by none at all) that ſuch refuſal of active Obedience, and the ſufferings of theirs, is agreeable to the revealed minde of God, and therefore moſt juſtifiable at God's and Man's Tribunal.

§ 6. Here will fall in a great *enquiry*, That although it be true that all *Humane* Power, both *Legiſlative* and *Executive*, be limited by a ſuperiour Power, yet there's but few that have the felicity of keeping within *preſcribed bounds*, or having ſuch Subjects that will not be excepting againſt the Laws of their Superiours, as not agreable to God's Laws; and this they will make the Plea for their diſobedience. Both Superiours and Inferiours will plead Conſcience, though never ſo unrighteouſly: What ſhould be done in this caſe? Unto this *Allegation* many things may be ſaid; for it's ſufficiently known, that though every Law *primarily* requires *active Obedience*, yet upon a Tranſgreſſion it is ſatisfi'd with the due execution of the Penalty; but for the future expects active Obedience: and a reiterated refuſal of Obedience, the Law looks upon as *preſumptuous*, and is really ſo, if this continuation at enmity with the Law be *voluntary*, and deliberate, after *ſufficient Information and Conviction*; And if this refuſal be conjoyn'd with reſiſtance, it is no better than Rebellion, which we explode as unwarrantable for a Chriſtian. About Preſumption we diſtinguiſh, there is that which is really ſo, and that which is onely called ſo by an unjuſt Law and miſtaking Judge. Perſiſting in refuſal of obedience after conviction of our duty, is preſumption, and a ſin againſt God, whoever the Law-maker is. But if ſuch perſiſtance be juſtified by the light of God's Law in Conſcience, it is not a preſumptuous ſin, or any ſin at all againſt God, however man may term it a preſumptuous breach of his Law; for a conſcientious Chriſtian can no more obey an unrighteous Law after ſuffering than before.

§ 7. In all caſes of voluntary deliberate refuſal of active Obedience to a Law, there is, and muſt needs be, a wrong done to the Law-giver or Subject. To the Law-giver, if his Power, Law, and Ends be good, and they not anſwered; for the firſt end of every Law is and ought to be active Obedience, as beforeſaid; the Law of God firſt obliging us ſo to the juſt Laws of man; and the end of the execution of punishment is for the reducing the ſufferers to active Obedience, and the exemplary reſtraint of others from Diſobedience.

bedience. Hence it follows, that a *deliberate, resolved, and constant undergoing of Suffering* in this way of refusal, is a *practical* charging the Magistrate with the highest Usurpation and Tyranny in imposing Laws of that nature; and therefore the greatest *disparaging testimony* born against his Law, a *great reputation* (in the judgement of the world) to the Cause pleaded for, let it be truth or errour, and the most *exemplary disappointment* of the Magistrates Law-making ends, whereby others are greatly emboldened to the same kind of refusal.

§ 8. In all cases where *Magistrates* abuse their Power, they do a wrong to the supream Judge, in going beyond his Commission, and invenching on his *Prerogative*, and do apparent injury to the *Subject*. 1. In that an inferiour *subordinate Law-giver* hath bereaved him by a Law of those just Liberties and Privileges granted to him by the *Charter* of his supream *Law-giver*. 2. In *afflicting and grieving* his Subject, by imposing an unjust Law, and causing him to suffer by it, when he pleads exemption by a Law in full force, and a discharge from a *higher Court*, and is praiseworthy for the said refusal, not to be condemned, no nor *reproached* as an evil doer, or *presumptuous* for his permanency in *non-obedience*. 3. In laying his Subject under a necessity of *continued* and *reiterated* sufferings, he being obliged in Conscience (or else to answer the default at a higher Tribunal) constantly to persist in his refusal to yield such Obedience, though he is to pass under renewed and *reiterated penalties*; for a man to return to obedience after a *deliberate suffering*, is a visible practical condemnation of himself for his *former refusal*, which would greatly reflect on his honour both as a man or a Christian, unless by the *access of further light* he findes his Conscience did erre, and so be convinced of his duty; then it becomes him both as a man and Christian to retract: *Humanum est errare, bellinum in errore persistere.*

§ 9. Now seeing such inevitable wrong lights somewhere in cases of these deliberate refusals, it will be enquired who or what must *determine* to the satisfaction of each party, both standing highly *on their Justification?* To which I answer, An actual reconciliation is utterly impossible, *rebus sic stantibus*, because it will be as the greater overswaying earthly power will have it (*Deo permittente*) on the commanding part; his Will will carry it, *Sic volo, Sic jubeo, &c.* and the Subject is liable to *errour* on his part, in *Rashness, Stubbornness, Wilfulness, Singularity*, &c. But if both parties do (notwithstan-

ding all *Imperfections and Frailties* attending) endeavour to approve themſelves to the King of Kings, there is a determination which to each party muſt *ſatisfactorily* binde, and is thus manifeſt. 1. Both are bound to the *ſupream* Law-giver; the one to make juſt and equal Laws, and righteouſly to diſtribute them; the other to a free *deliberate active obedience* thereunto; both or either of which failing in their duty, ſhall be judged by the ſupream Law-giver according to the reſpective Laws whereby they are bound to the ſaid duties. 2. So long as darkneſs and corruption attends the mindes of men, there will be different apprehenſions concerning the Duties and Practices they are to walk in, according to the degrees of Light received; there will never be a perfect agreement; neither is any one mans Conſcience a *Standard* to another to walk by, no further than there is a concurrent *emanation of convincing light* from the truth to both; the Conſcience of the Magiſtrate, as ſuch, is no binding rule to the Subject, neither ought the Conſcience of the Subject to be *ſwallowed up* in the Magiſtrates, and thereby ſeduced to an *implicite Faith*. Every man is to ſee with his *own Eyes*, to believe with his *own Faith*, and act to the ſatisfaction of his *own Conſcience*, uſing all means for the *right information* of his own Minde and Underſtanding in the Will of God for his walking. Whatever men ſay of a *Publick Conſcience*, and that commands of Superiours are enough to indemnifie Inferiours in all active Obedience thereto, though the Laws be evil: The Word of God knows no ſuch thing, neither will any man that is acquainted with *conſcientious walking* in the approvement of himſelf to God in all his ways and actions, ever give credence to any of thoſe wilde aſſertions; neither did I ever ſee any probable Argument produced to enforce thoſe Sentiments on the mindes of rational men, much leſs on ſuch as have their Senſes *exerciſed in the knowledge of Truth*. 4. Hence it will follow, that the *preſent Conſcience* or practical Underſtanding *impartially fixed*, muſt be the onely Expoſitor of Law and Duty, by which every one is bound to walk in his reſpective place that God hath ſet him in, whether Magiſtrate or Subject: whether a man be in a *publick* or *private* capacity, he is to be accountable to God for all his *abſolute* and *relative* duties, he ſhall not be judged for either of them by another mans Conſcience. The *Spirit of a man is the Candle of the Lord*, &c. to this determination muſt the *Law-giver* ſtand as to the *righteouſneſs or unrighteouſneſs of his Law*; and the Subject as to his *active or paſſive* obedience: And here we ſpeak not by what

meaſures

meanſwee *Children in nonage* and *Fools* are from infirmity of nature neceſſitated to walk; but of ſuch as have the due uſe of reaſon and underſtanding; neither can it be helped if ſome men will *ſurrender themſelves* and Conſciences (from ſlothfulneſs, intereſt, or flattery) to be ſlaves to men, they ſhall ſufficiently ſmart for it here, and ſeverely anſwer for it hereafter. But if any plead that men of *Reaſon, Underſtanding, Judgement; and Conſcience*, ought to quit and abandon all light and dominion of their own Conſciences, (being inferiours) and be at the diſpoſition wholly of their Superiours; this we ſay can have no ground in Nature, Politicks, or Religion. It's juſt as if all Subjects were bound to pluckout their Eyes, and ſee onely by their Governours. A Childe is to obey his *Parent*, but it is *in the Lord*; he is not bound to obey him in unlawful things, and ſo a Servant his Maſter: If ſuch obey their Superiours in ſuch things as the Law of God makes unlawful, in ſo doing they muſt needs diſobey God. Now it's moſt abſurd to think that Gods Law ſhould require it's *own violation*, if this Command (*Children, obey your Parents*) be taken without limitation, and the Parent commandes the Childe to commit Idolatry, or to ſteal, and the Childe by that Precept is bound to active Obedience, then God's Law here overthrows it ſelf: for by yielding obedience to one Precept, another is neceſſarily broken. We have *Joſeph*'s practice (and Scriptural commands) to juſtifie us in this Aſſertion.

§ 10. Moreover, if Conſcience is to determine (after the beſt information that we can have) between *God and us*, as to our *preſent practice*, much more it's to determine in caſe of difference between *ſubordinate Law-givers* and us. Though there is a difference in the determination, (*i. e.* ſuppoſing it be God's Law, his *authority* to make ſuch a Law is not to be *diſputed* by the Creature; but the queſtion or caſe of Conſcience is uſually of the meaning and extent of his Law, as to variety of practices referable thereunto; Whereas mans Law may be diſputed whether he may *de jure*, by vertue of his Commiſſion from God, make and enjoyn ſuch a Law) yet the Argument holds good, that in caſe of doubt about Practice, and Diſpute between God and us, if he requires us to be regulated by the *verdict* of Conſcience enlightned from the Word, then much more in ſuch caſes of diſpute betwixt Man and us: and although we may ſin in obeying the dictates of an *erring Conſcience*, (guided by the Word of God miſunderſtood) yet that ſin (after our impartial endeavours for information) appearing to us to be a

Duty,

Duty, (though it ceaseth not therefore to be a sin in its own nature) it would be a greater sin in us to disobey the Dictate of the present supposedly *enlightned Conscience*, because it must be ranked amongst the sins against Light and Conscience; whereas now the Act is but a sin of *ignorance* at worst. Again, God will at the *last day* judge according to the Verdict of Conscience rightly informed; *If our Conscience condemn us, God is greater*, &c. 1 *Joh. Rom.* 2. but if our present Conscience be *erring*, either as to the meaning or nature of the Law or Fact, and brings in an *impartial Verdict*, according as it hath found upon its best *information* and enquiry; but not true (as after it appears) according *to Law or Fact*, its duty is to pass again and again upon the same inquisition, till it speaks as it shall speak before *Gods Tribunal*: So the last *Verdict* (*called present Conscience*) stands binding to us, till by further light in the Law, or Evidence concerning the Fact, another be brought more agreeable to Law and Justice. And if upon *frequent and impartial* search, the same return be still made (after earnest and sincere seeking of God to discover our errours) it is a great confirmation unto us that it's truth that hath been spoken; and that we should greatly sin against God to swerve from it, what ever the Edicts and Precepts of men say to the contrary. *Magna est vis Conscientiæ in utramque partem, ut neque timeant qui nihil commiserint, & pœnam semper ante occulos versari putent qui peccaverint.* Cic. *Orat. pro Milione.*

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| Ἡ δοιγὰν ἄρ ἦν ἡνεκ' ἂν τὶς ἐσθλὸς εἰν αὐτῷ συνείδῃ. Sophoc. | Egregious Witness Conscience<br>To good men is of innocence. |

## CHAP. VII.

### *Of Strong and Weak Christians, and how far they are obliged to submit to each other.*

§ 1. HAving evidenced that the *Jurisdiction of Conscience* belongs to the Lord Christ as his *peculiar Prerogative*, it follows that *doubting, weak, scrupulous Consciences* may challenge this priviledge, as well as the *knowing, confirmed, strong* Consciences; and neither the *weak* subjected to the *strong*, nor the *strong* to the *weak*. And because the Spirit of God hath distinguished Christians according to their

their Consciences into strong and weak, and shewed how they ought to walk in love towards each other under one and the same Lawgiver and Law, though diversly apprehended (especially as to some circumstances and consequences thereof) by them; and that they ought not to *judge*, *justle*, *wrong*, and *despise* each other: It will be very requisite in this *Conscience-abusing* age to speak something distinctly on this subject.

§ 2. The whole revealed will of Christ for the Government of his *militant* Kingdom, and management of all affairs therein, as to *publick Ecclesiastical* concernments, so to all particular *Duties*, *Relations* and *Behaviours* conscientiously to be performed to God and man, is fully and sufficiently manifest under the notions of things *necessary and indifferent*, under which two Heads all Christian Duties positive and negative are comprehended: Although there is a supposition of a *third*, (because of our blindness, ignorance, and weakness of Judgement and Affections, as to a clear discerning and determining between Gospel-necessities and indifferences how stated by Christ) and that is of *dubious controverted matters* between Church and Church, Christian and Christian, whether they be absolutely enjoyned or prohibited, or indifferently lawful and unlawful, called by the Apostle διακρίσεις διαλογισμῶν.

§ 3. This supposed Third causeth a *distinction* of two sorts, or rather degrees of Believers, both one in Christ the Head, and in conscientious tender respect to his Glory. The one is the *weak*, *scrupulous doubtful* Christian, not so fully informed in the revealed will of Christ for his walking, but because of his great love to Christ, and tender respect to his Glory, is very zealous thereof, and *suspicious* of himself and his ways; and it may be doubts and questions many things which are not doubted of, nor need not by the strong, because they are clearly enough revealed; but the weak, by reason of the great darkness of his Understanding, is at a loss about them: such are called ἀσθενοῦντες τῇ πίστει, i.e. he wants that due light and information that the Conscience ought to have in the truths of the Gospel, especially of such as are usually of a more disputable nature, (so *Beza* and *Piscator* *) to distinguish between things *necessary* and *indifferent*, but accounts some things *indifferent* which are *necessary*, and some *necessary* which are *indifferent*, and therefore doth not rightly distinguish between his

* Videtur hoc loco declarare Christianum ipsam Doctrinam, ut quæ adhuc aliqua dubia ac proinde discrimen eorum & dierum, nondum intelligit Christi beneficio jussi jubilum. Bez. Videtur hoc loco significare de usu rerum indifferentium per scrupulosam conscientiam. Pisc.

duty

duty and liberty. The stronger Believer is he who hath a clearer and fuller discerning of the mind and will of Christ revealed, touching things absolutely or relatively necessary by the Law of Christ, and things left in indifferency; (and this is the Christian that hath least doubt and scruple in Conscience, *Circa agenda & non agenda, necessario agenda & indifferenter*; and therefore of *licita & non licita*, and hath that plerophory of Judgement spoken of *Rom.* 14. 23.

2. The Apostle in that Chapter, and elsewhere, doth fully shew the difference between these Believers: the one sort are *weak in Faith*. The other sort are *strong, and confirmed in Principles, Knowledge*, and *Judgement*: All indeed have some Knowledge which have any Faith of a true nature, *non omnibus omnia, all have knowledge*, 1 Cor. 8. but all have not such a degree of *Knowledge* as to determine right *strong* (*ἐν πᾶσιν οὐκ ἐν πᾶσιν*, v. 7.) this *eminent knowledge* is not in all, therefore some are *weaker*) in Faith and Conscience, and therefore have not a good *judgement* of *discretion*, or of determination of doubtful points to which he is not to be taken by other Christians: for he having *zeal of God, but not according to knowledge*, Rom. 10. 2. and a zeal to the honour of God, and but little knowledge, is *superstitiously* observant of many things, which the strong looks not upon himself at all *obliged* in conscience to. The Apostle gives an instance, v. 2. One *believeth that he may eat all things*, another *that is weak eateth Herbs*; i. e. the strong knoweth his liberty, that Christ hath not confined him in so narrow a compass for the sober and convenient use of any creature-comfort; whereas the weak he looks upon himself bound to Ceremonies to observe many things, as to *meats, drinks, days*, &c. and this was the great dispute between the Professors in the Apostles times, whether all the Jewish Observations were abolished or not by Christ: The strong Professors said, they were (according to *Peter's* Vision;) the weak said they were yet to be observed. And (as there were weak *Jewish Christians*, so there were weak *Gentile* Professors, who did eat *τὰ εἰδωλόθυτα* in the Idols Temples, which doth eat with Conscience (i. e. of respect) towards the Idol: this is illustrated *v.* 10. for the weak seeing the strong eat things sacrificed to Idols, or sitting in the Idol Temple, he saith the Conscience of the weak

discernment by the Vulgar (to which Beza adheres; but by *Erasmus Dijudicatio*, whom *Grotius* and *Hammond* follow, and seems to me to be most genuine: For though *Diakrisis* is sometimes taken for Disputing, yet it is often taken for Discerning and Judging; and besides, *Diakrisis* the Noun is elsewhere still taken in this sence of Discerning, 1 Cor. 12. 10. Heb. 5. 14.

weak [illegible] edified to eat things sacrificed unto Idols as such: Whereas the strong hath no such respect at all, but the poor indiscreet weak Believer judges so, and therefore encourageth himself in his own Superstition; he walks by a dimmer light, therefore his Conscience is more apt to be defiled. The *stronger* hath a greater degree of light and knowledge, and therefore is not so apt to trip and stumble in the way that he walks, his Conscience is more clean and *free from pollution.* The Apostle, *Heb.* 5. 14. opposeth these two sorts of Believers as *Children* and *grown men, v.* 13. every one that useth Milk is unskilful in the word of Righteousness; for he is a Babe, *v.* 14. but strong meat belongs to them that are of full age, (*i. e.* have attained a measure of skill and understanding in the word of Righteousness) even those that by reason of use have their senses exercised to discern (the word is διάκρισιν) both good and evil; to determine between things truely lawful and unlawful. The weak walks by a dimmer light, either by his own opinion, or tradition of his Predecessors, or by the example or opinion of others; and therefore more apt to fall upon such actings whereby his Conscience is wronged and defiled, by doing such things as absolutely, or circumstantially prove sin unto him; he is as a *Candle newly lighted, a bruised Reed, a smoaking Flax*, soon extinguished, or having at best but a smoaky dim light that none can walk by, and he himself is confused by in his Christian conversation: he is called a *Babe* that hath very tender Bones and Sinews, which are soon wrenched and put out of Joynt; hence depends sometimes, on the guidance of others which he takes to be stronger than himself, and it may be casts himself on the judgement of the blinde, and so they *fall both together*: And sometimes presumes to go by his own strength further than he is able, whereby he is precipitated into many inconveniencies, difficulties, and dangers.

§ 5. These two sorts of Believers differing onely in strength, are both the same in *Specie*, (as a Childe and grown man) having both *Faith, v.* 1. both *received by Christ, v.* 3. and *Christ died for them, v.* 15. both walking conscientiously according to their light towards God. The Apostle's great care, is to warn them both to be very wary and circumspect how they walk towards each other, according to those degrees of light which they have received, with all charity and wisdom: That which he insists most on (in this Chapter of *Rom.* 14.) is *charitable walking.* 1. He would not have them walk at a distance one with another, but the strong to re-

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ceive the weak to communion without making *doubtful* things the terms of it; receive them, but not to the judgement of *controversal points* or disputable matters (διαλογισμοι signifies *Reasonings* or, *disputings*, and so ought in most places where it's used to be rendred; and though it's often rendred *thoughts*, yet there it's to be understood of *arguing* and *reasoning* thoughts) such the Apostle would not have them received to; *i. e.* he would not have your or their διάκρισις or *judgement of* disputable points to be the terms of your receiving of them: Whatever your opinion or theirs is in these matters, receive them, say not that they must be of this or that judgement and practice in these things, or else they are not to be of your communion; the strong (or he that reputes himself so, whether he be so or no, the rule of charity for the strong, is to receive him that he reputes weak) is to receive the weak as Christ hath, *v.* 4. προσλαμβάνομαι is used there for *Christ's receiving*. As Christ receives them with all *love*, *tenderness*, and *condescention*, so ought every stronger Believer not to hurry and worry them beyond their strength of Knowledge and Judgement, by rigorous proceedings of Magisterial injunctions and compulsions; but carry them as Lambs, and gently lead them (as God *Isai.* 40. 11. doth) by the illuminations of the Word, in the exercise of much *patience* and *forbearance* towards them, condescending in all things possible for their good and *edification*, Rom. 14. 19. in whatever he may not offend Christ, he ought rather to please his Brother than himself. As for Example, one that calls himself the strong, (it may be he is Magistrate or Minister, and by his place ought to be so) saith it would be much more contentment to him, if one of his Subjects or Hearers would yield to conform to some few little things which he affirms to be but indifferent in themselves, *&c.* and the Subject and Parishioner says, No, to obey you is *Will-worship*. God's own Ordinances are but little indifferent things in themselves, but by vertue of his Commands they become *great* and *weighty*; so your Commands about small indifferences makes them great and weighty to *my Conscience*: And therefore I desire to be excused in coming up to any such Commands; lay aside these, and I am willing to enjoy the benefit of your Communion. Suppose them to be *meats*, *gestures*,

[ Προσλαμβάνεσθε ] the *Syr. Arab.* and *Æthiop.* render in the sence of Helping, *date manum*, *adjuvate*, *sublevate*; but that's the signif. of ἀντιλαμβάνεσθαι, as is plain where it's used; and this word by the opinion of the best Interpreters is fitter rendred by *assumite*, *receive*, *viz.* into your society, and so used most frequently in the New Testament, *Matth.* 26. 22. *Act.* 27. 5. *ch.* 18. 26. *Philem.* 12 and 17. So for taking meat, *Act.* 27. 33, 34, 36.

*geſtures*, or *Garments*, &c. I ſay, he ought much rather to lay aſide the preſſing of this or that indifferent thing, for the communion with, and edification of, his poor Brother: But for him to retain his reſolution of preſſing this (as he calls it, indifferent action) on the Conſcience and practice of his Brother, not admitting any other terms of communion, and upon his refuſal to call him Heretick, Schiſmatick, Rebel, *&c.* can be accounted nothing leſs than deliberately and ſtudiouſly to lay a *Stumbling-block* in his Brothers way for him to fall over; (at leaſt in the true ſence of falling) and then when he is down, to beat him and trample upon him. Secondly, In this charitable walking the Apoſtle ſaith, after they are in communion there ought not to be judging or deſpiſing each other, *Rom.* 14. 10. The *weak* they are very apt to judge the *ſtrong* for taking too much power upon himſelf, or liberty to himſelf; and to ſay he walks not according to his Light; and that his actions are not *agreeable to the rule* of the Goſpel; that he is a ſcandal to Religion, *&c.* when indeed it may be he uſeth but that lawful liberty in indifferent things which Chriſt hath granted him, and the other underſtands not. Such judging as this is ought not to be in the weak; and remarkable it is, that the judging part is put upon the weaker ſide: the weak Chriſtian is uſually the moſt cenſorious, and many live with ſuch weakneſs as this, almoſt all their days. But the ſtrong is alſo apt to treſpaſs on the rule of Charity in deſpiſing his weak Brother, *i. e.* he that is ſtrong in gifts and parts, or in reſpect of place and dignity, and advantages in the world; he is apt to think ſlightly of him, and to ſpeak ſo, and call him a ſimple froward Fanatick, a man humourſome, and a contentious Fellow; a weak-brain'd Coxcomb, one that makes Conſcience and Preciſeneſs onely a pretence to carry on rebellious Deſignes againſt Church and State; and though he pretend Conſcience ſo much in ſome few things, yet he will play the Hypocrite and lie faſt enough in others. To ſuch an one the Apoſtle ſaith ὁ οὐ τὶ ἐξουθενεῖς τὸν ἀδελφόν σου, and take ſuch an one out of the huff of his Pride and Paſſion, he cannot but acknowledge that this perſon which he hath thus much contemned and deſpiſed is one truely fearing God, though he hath many weakneſſes and incongruities attending of him. Thirdly, Another piece of *Charity* is to *help*, *ſuccour*, and *aſſiſt* one another in the bearing any evil of affliction, coming out of any evil of ſin, and attaining any good deſired, *Rom.* 15. 1. *We that are ſtrong ought to bear the infirmities of the weak*; to put our Shoulders under the

burthen, ἀσθενήματα τῶν ἀδυνάτων βαστάσαι, not to aggravate their weakneſs, and lay greater burthen upon them, but to help them with comforts under afflictions, reſolutions in doubts, good counſel for their recovery when they are under ſin and guilt, and not pleaſe your ſelves, our pride, corrupt paſſions and affections: as ſelf muſt be denied in following Chriſt, ſo in aſſociating with his Members.

§6. We have ſpoken of the Charity the Apoſtle requires in the walking of ſtrong and weak towards one another; it remains to adde ſomething concerning the rules *of Wiſdom* whereby they are to walk. 1. The Strong is not to do any indifferent action which he foreſees may be a real *ſinning offence* unto his Brother, *Rom.* 14. 19, 20, 21. It's of the greateſt tranſgreſſion of the rule of Charity in the Apoſtles ſence; and therefore it's wiſdome for the Strong to chuſe ſuch times and circumſtances for the uſe of indifferent things, as may not *ſcandalize* the weak, and give him occaſion either *ſinningly to judge* him, or embolden him to *imitate* him in an action which his own Conſcience cannot bear; for that meat which the Strong can eat *without conſcience of the Idol*, the Weak cannot; Therefore ſome things muſt be wiſely avoided by a Chriſtian for the ſake of another mans Conſcience in matters of indifferencies, though he findes no reaſon for it in his own. I need make no farther proof of this than that full place, 1 *Cor.* 8. 10. 1 *Cor.* 10. 27, 28, 29. Here the judgement of diſcretion muſt be managed by the rules of Expediency, *All things that are lawful are not expedient*; and if it be a ſin againſt Chriſtian Charity and Wiſdome to do that action that may really ſcandalize a weak Brother, it is much more a tranſgreſſion of a hainous nature to *impoſe* this action, and *compel the Weak* to the doing of it. 2. The wiſdom of the Weak ſhould be, to be ſo far from judging and condemning the Strong, as rather to ſuſpect his own Judgement, and lay aſide *Pride*, *Prejudice*, and *Partiality*, and ſincerely endeavour after more light, believing ſtill that it's moſt probable that a Chriſtian that hath more *Knowledge*, *Experience*, *Gifts*, and Parts and Advantages, may know much more than himſelf; and though he cannot reach Light enough to ſee ſo far as to practiſe with him, yet at leaſt to believe that his ſtronger Brother hath walked according to the beſt of his light and knowledge in that thing, when he ſees no eminent moral ſwaying reaſon to the contrary. And though the Conſcience or Example of the Strong is not the rule that the Weak muſt walk by, unleſs

unleſs it's manifeſt to the Weak, that the Strong walks agreeable to the Minde or Example of Chriſt: It's not any mans *Place*, *Dignity*, *Learning*, *Piety*, barely and abſolutely conſidered, that renders him a *Standard* and *Rule* of Chriſtian walking; yet he is to learn ſo much pious Wiſdom, as to remember all thoſe relations that he ſtands to him by, and to violate none of them upon this account, and rather come to him as a Scholar, than as a Maſter to teach him, or Judge to condemn him. It were great folly in a man that's blinde, or hath but one Eye, to condemn all men for Cheats and Knaves that have two Eyes and ſtronger ſighted than themſelves. Beſides, it's moſt agreeable to the rules of equity, that the ſtrong man ſhould be allowed the ſame liberty as to his own practice, which the weak challengeth, *viz.* of walking by the light of his own Conſcience, be it more or leſs than anothers; though I confeſs, if there be any bar of Liberty in indifferent things in the Law of Chriſt, it's on the part of the Strong; *i.e.* of him that hath the *over-ruling*, *governing*, or *exemplary* power over others, for the ſake of the Weak: for that is an undoubted Law of Chriſt, that the Strong, or he that thinks or pretends himſelf ſo to be, may not do an indifferent action with offence unto the Weak. And whereas the Strong may object and ſay, that the Weak is as much bound to conform to an indifferent thing for the ſake of the Strong, as the Strong to forbear it for the ſake of the Weak; I ſay no, for there can be no ſin in forbearing an indifferent act to him that looks upon it as ſuch, when there is unavoidable ſin in doing it to him that eſteems it in his Conſcience ſo to be; ſo that the reaſon is not the ſame in this kinde for the Strong and Weak. The Weak cannot walk with the Strong in all matters of indifferency, but the Strong may with the Weak by receiving of them, as the Apoſtle ſaith, without the conſideration of thoſe differences; becauſe the Weak ſhould ſin in doing a thing abſolutely indifferent which he judgeth unlawful; but the Strong doubting not the indifferency, can never think that he ſins in forbearing it, and therefore ſhould prize his Brothers communion before pleaſing himſelf in ſuch actions.

§7. The ſum of all is this, that notwithſtanding the real diſproportion (or ſuppoſed) between the Strong and Weak, and the diſputes in the world who is one, and who is the other, the will of Chriſt is, that they ſhould walk *brotherly* and *inoffenſively* towards each other, each one as *ſtrong* and *weak*; as *ſtrong*, in reſpect of his Wiſdom and Charity; as *weak*, in reſpect of his *Humility*, *Teachableneſs*,

*ableneſs*, and *Suſpicion* of himſelf, *Every one eſteeming another better than himſelf*; for the ſame Chriſtian may be *ſtrong and weak*; ſtrong in the knowledge and experience of ſome Truths, and in reſpect of ſome Temptations, weak in his apprehenſion and judgement of others; ſtrong at one time, and weak at another: And beſides, attending infirmities muſt be conſidered on both parts; for it cannot be but ſometimes it will fall out, that the Weak will manifeſt his weakneſs, by *Peeviſhneſs*, *Prejudice*, *Paſſion*, or *Bewraying* his manifeſt ignorance, for which the Strong is not to deſpiſe him or reject him, but rather help him under this burthen, and endeavour to win him nearer unto him by a ſpirit of forbearance and meekneſs; for men in manifeſt weakneſſes are to be pitied and ſupported, not to be inſulted over and trampled upon. So the *Strong* will ſometimes ſhew his ſtrength (though it be his ſin, and therefore a weakneſs relatively) in doing actions indifferent to himſelf, and it may be knows not, or conſiders not, that they are ſinning offences unto his weak Brother; and then for his own vindication, with too great a proportion of height and vehemency, next door to Pride and Paſſion, (too often the things themſelves) manageth his caſe for the ſatisfaction or conviction of the Weak, the good effect whereof is loſt by reaſon of the attending corruption. Here prevailing Grace in the Weak will turn the ſcales, and make him appear the Strong, if he ſuppreſs the corrupt diſpoſition in himſelf of judging his Brother, and carry himſelf towards him in an eminent meaſure of love and humility in the manifeſtation of his apprehended juſt exceptions againſt any of his Brothers ways or actions, and putting the moſt favourable and candid interpretation upon them that by the rules of Charity in his apprehenſion they will bear.

§ 8. How contrary then is the walking of ſome unto this Rule? when the Strong will binde up the Weak by humane Laws to do all thoſe actions (that to him are indifferent) under pain of non-communion, or other penalties, when he regards no more the ſtrength of the Childe that he is to walk with, as that it muſt run as faſt as himſelf, or rather drive it before him, not conſidering the weakneſs of his parts manifeſtly wronged, and the great hazard of his life: how unlike he is to God in this, and how contrary he acts to his revealed will, let the impartial judge. On the other hand, when the Weak, at leaſt in knowledge, if not in power, will binde up the hands of the Strong by ſome Law humane, under pain of inevitable bodily Sufferings, or Cenſures publick or private, to deny his own

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Light and Liberty, and come down to his Darkneſs and Bondage; it's as when a blinde man will not be ſatisfied unleſs all other mens Eyes be put out too; and the lame, till other mens Legs be broken. This is Tyranny on both hands; Chriſt never ſubſtituted one Chriſtian as ſuch a Law-giver unto another in Spirituals: and they that pretend to it as ſtrong, to give Law to the weak; or as weak, to give Law to limit and binde up the ſtrong, they are ſo far from the Rules of the Goſpel, that whatever their profeſſion is of Faith in the greater or leſſer meaſure, I fear it will hardly be found in the ſmalleſt portion in either of them; and therefore from this conſideration will ariſe a neceſſary diſtinction between the ſtrong or weak ſincere Believer, and between the ſtrong and weak hypocritical or pretended Believer.

§ 9. What hath been hitherto ſpoken moſtly concerns the ſuppoſed ſtrong or weak ſincere Chriſtian; we ſhall ſpeak a word of the Hypocritical pretenders of both ſorts. The *hypocritically* Strong, is he that apprehends himſelf to be ſo, and from ſpiritual Pride and corrupt Intereſt, puts on a *phariſaical* Vizard, whereby he would perſwade others that he is ſo; one that thinketh he knoweth much, and *knoweth nothing as he ought to know*, 1 Cor. 8. 2. and he ſo thinks of himſelf, as that *he is puffed up*, v. 1. And again the Apoſtle ſaith, *Not he that commendeth himſelf is approved, but whom the Lord commendeth*, 1 Cor. 10. 19. his knowledge is not of the right ſtamp, it's ſeparated from undoubted concomitants of ſanctified *Knowledge*, *Charity*, *Humility*, and *ſpiritual Wiſdom*, and inſtead thereof he manifeſts himſelf with oſtentation, Lords it tyrannically over the Conſciences of others, be they ſtrong or weak; deſpiſing and contemning them in all their doubts, rather deſiring to confound them with difficulties, and impoſe on them by compulſions, than any way to inform their Judgements, or to win them to his ſociety by condeſcention and meekneſs.

§ 10. The weak Hypocritical Profeſſor little differs from the former, not in *kinde*, but in *degree* onely; for a Hypocrite is but ſo ſtill, be he weak or ſtrong; *i. e.* have more or leſs parts or advantages to hide and conceal himſelf, and ſet off himſelf to the world; but he differs from the ſuppoſed ſtrong Chriſtian, in that he hath but little knowledge, a few gifts and parts, and is not able to manage his affairs to ſo much advantage for the deceiving of others, but yet pretends highly to Conſcience, and the pureſt ways of holineſs, and pleads himſelf to be weak onely for a Bulwark for himſelf to defend

fend his Errours, Singularity and Cenſoriouſneſs of others, againſt all the inſtructions and admonitions, whatever forcible arguments and reaſons they bring with them: He will ſtill ſay, truly this is his weak judgement, and that he is but of a *mean capacity*, and cannot underſtand what you have to ſay for his *information* and *conviction*; and if you make him underſtand, he will ſtill hold his Concluſion, though his Premiſes be manifeſted to be never ſo weak.

§ 11. The ſincere ought to have a watchful eye upon theſe Profeſſors, endeavouring to diſcover them, for at firſt they cannot, and therefore are called *Hypocrites*, becauſe they can obſcure and conceal themſelves from man for a while, and when they are not known, the ſincere is bound to carry himſelf towards them by the ſame rules as he doth to thoſe that are equally ſincere with himſelf: but when he is once diſcovered, he hath no reaſon then to carry himſelf towards him as towards a ſincere, but as towards a *falſe-hearted Profeſſor*. But we ſhould be very wary of judging men *Hypocrites*; it's the greateſt cenſure in the world upon a *Profeſſor*; there muſt be very great evidence for it before we can conclude it ſo: for Hypocriſie is properly in the eye of none but God; and though Chriſt (who knew men throughout) called them as they were, I queſtion whether his Example may be followed in this, by the beſt men on earth. But we may have great grounds of ſuſpicion of this by their fruits, and accordingly we are to be directed in our carriage towards them by the Word of God, and we have our Saviour's behaviour to the Phariſees, whether ſtrong or weak, for our example, ſo far as imitable by us. Our Saviour would never gratifie that ſort of men, whatever ſhape they appeared under, either of weak or ſtrong; and notwithſtanding all their gloſing pretentions, our Saviour tells them, their Hearts were rotten and their ends wicked; and by two eminent characters of this nature he diſcovers them to the world. 1. That they were mighty zealous for ſome ſmall circumſtantial matters in Religion, and profeſſed Enemies to the *purer* and more *weighty* part wherein the power of Godlineſs lay, *Faith*, *Juſtice*, *Charity*, &c. 2. That they cried up Humane Laws, Traditions and Conſtitutions in the worſhip of God, above the Laws and Inſtitutions of God himſelf. The carriage of *Paul* alſo in this kinde is very remarkable, that he would not (*Gal.* 2. 3, 4, 5.) yield to the *circumciſion* of *Titus*, it being fought for by falſe Brethren that would have compelled it, and endeavoured to betray the Churches *liberty*, and bring them into bondage; to whom (he ſaith) we

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gave no place by *subjection*, ( *i. e.* yielding to their imposition ) no not *for an hour*, that the *truth of the Gospel* ( *i. e. true Gospel-liberty* ) might continue with you; whereas before he yielded to the *Circumcision of* Timothy to gratifie the weak real Believers. Whence it plainly follows, that whoever they be that endeavour to enthral our Consciences and Practices, though in matters in themselves indifferent, are not to be yielded to as weak, nor subjected to as strong, but rejected as false Brethren. 2. The *strong sincere Christian* is not to *violate* any *positive* Law of Christ that he is in his Conscience perswaded of, to gratifie the *weak*, or any persons whatever, Inferiours, Superiours, or Equals; all the *concession* must be onely in matters in themselves *indifferent*; neither should the *weak* offer violence to his Conscience in any thing to please the *strongest* and *wisest* Christian in the world.

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## CHAP. VIII.

### *Of Scandals.*

§ 1. HAving spoken of the *strong and weak Christian*, and how they should walk one towards another *inoffensively*, it will be necessary to understand a little the nature and kinde of offences which the Gospel gives us so frequent and strict warning to take heed of. The Apostles great inference ( from the advice that he had given to the Strong and weak ) was by way of advice, *Rom.* 14. 13. *Let us not therefoee judge one another any more, but judge this rather,* ( *i. e.* determine ) *that no man put a stumbling-block or an occasion to fall in his Brothers way.* There is two words used, but both seem to intend the same thing, though some make them differ in degree. *A Scandal is any impediment or obstruction that lies in a mans way, over which he may stumble or fall*: So that we take a Stumbling-block or occasion of falling for the same thing, any thing that doth grieve, trouble, distract, or turn aside,

Πρόσκομμα ἀπρόσκοπτον, & σκάνδαλον ἀσκάζειν, *rem se differunt, sed non semper: πρόσκομμα leviorem offensam significat, quæ tamen aliquis non corruat, ut supra,* 11. 11. *σκάνδαλον vero graviorem declarat, ex qua quispiam prolapsus claudicet.* Beza and most Interpreters go this way, but *Estius*, who saith, *Non disting. inter offendiculum & scandalum, sicut inter lapidem offensionis & petram scandali,* Rom. 9. 33. *nam hujusmodi repetitiones ad inculcationem ejusdem rei Scripturis familiares sunt.* Estius.



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carries the nature of a ſcandal with it, and thoſe we muſt diſtinguiſh according to degrees: There are the *greater* and more *dangerous*, that hazard falling; and there are thoſe of a *leſſer nature*, that hazard ſtumbling onely. They differ onely in *degree*, or in *reſpect* that they have to our *ſtate* or *particular actions* and concerns. Some of more dangerous conſequence, and ſome of leſs. Some are more eaſily removed out of the way, ſome more permanent and laſting. As if there be any difference in thoſe expreſſions, *a ſtone of ſtumbling*, and *rock of offence*, it lieth in that the offending *Stone* is eaſily put aſide, but the *Rock* is immovable.

§ 2. Offences are ſaid alſo to be either ſuch as are given and not taken; and in this ſence ſome places muſt be taken, as *Matth.* 16. 23. when Chriſt ſaid to *Peter*, σκανδαλον μου ει, Thou art an offence to me, in endeavouring by thy advice and evil counſel to turn me out of the courſe of exerciſing my Mediators office: Not that Chriſt was ſtumbled, but there was ſuch a thing in the nature of *Peter*'s advice, in relation to Chriſt's work that he had to do. Some offences are taken and not given; *i. e.* it's not in the nature of them to be offences, but by reaſon of the corruptions of men by their abuſe of the greateſt good, it often becomes a ſcandal to them; ſo Chriſt himſelf was a *ſcandal* to the Jews, and *a Rock of ſcandal*, as well as a Stone of ſtumbling, *Rom.* 9. 33. 1 *Cor.* 1. 23. How many, when he went preaching about, were ſcandalized at him and at his Doctrine, *Matth.* 11. 6. *ch.* 15. 12. *ch.* 26. 31. This is a ſuppoſed ſcandal to him that is *offended*. Thus the doing of the moſt juſtifiable action may undergo the diſreputation of an offence, when men will either perverſly call good evil, or interpret it as evilly intended, or by reaſon of ignorance and weakneſs of judgement judge it ſo: and thus Chriſt himſelf, and no marvel if the beſt of his Members be not a ſcandal many times in their moſt commendable ways of walking, unto the men of the world; yea unto many weaker Believers, their *liberty becomes a Stumbling-block* to the weak, 1 *Cor.* 8. 9. and a *mans good is blaſphemed, or evil ſpoken of*, Rom. 14. 16. there are many that will be offended captiouſly and deliberately, and they are the profane men of the world that call Chriſt *Beelzebub*, and his Diſciples no better, or the *phariſaical* Profeſſors. The Diſciples told Chriſt, Knoweſt thou not that the Phariſees were offended when they heard theſe ſayings, *Matth.* 15. 12. Chriſt anſwers, *That every plant that his Father had not planted ſhould be rooted up: Let them alone, they are blinde*, &c. therefore, no marvel if they bark

bark at the Sun, &c. These unjust and *unreasonable offence-takers* are the greatest *offence-givers*, who do truely offend Gods Children in all fences more than the prophane world: so *Joh. 6. 60,61.*

§ 3. An *offence given*, is when a man or thing hath an innate just ground of scandal, by *relation to the moral Law*, and is no other than sin or sinful *per se & in se*, whatever other mens opinion of it be; and therefore works objectively upon others by way of *stumbling* and *scandalizing*; and they are two sorts on whom it operates this way: Either those that behold this action with *approbation*; and they stumble, or rather fall, in the worst manner thereby; for they thereby are *encouraged* to fall into sin, or to *remain* in sin, by reason of it, because of the great inducements that they take up from the person committing it, his *Holiness*, *Wisdom*, *Authority*, *Age*, &c. or those that behold it are *grieved* at it, and at the person offending, so as to censure his Person or Religion, and provoked by some ways or means to manifest their great *disgust*, not onely to the person offending, but even to the world. Hence I distinguish Offences into *Grieving* and *Sinning*, or *Grief-causing offences*, or *Sin-causing offences*.

§ 4. Of the *grieving Offence* first; and it's that which tends to the afflicting and troubling the *Minds*, Hearts, and Consciences of the Faithful in their Christian course; and the offending party either wrongs and injures by acts of violence and oppression, whereby he *grieves* the oppressed; or else he does and persists in such actions as the offended judge *unlawful*: And therefore from true principles of the love of God and his Brother, and the hatred of sin, he is much grieved, and walks heavily to see his *Brother walk disorderly*, and complains of this block laid in the way of his *Charity and Christian Communion*, Rom. 14. 15. If thy Brother be grieved (λυπεῖται) with thy meat, thou walkest not charitably.

§ 5. There be two sorts of *grieving Offences*. 1. All *absolutely unlawful actions* that are seen by the offended party to be sins by Christ's Law, and these he is bound by Christ's Law to be offended at, and at the persons committing them, as not onely sinners against God, but against the Members of Christ: and such offenders are the prophane men of the world or Pharisaical Professors, *Matth.* 13. 41. *chap.* 18. 7. the world is full of these offences, and miserable and woful by reason of them. 2. All actions that though they are lawful in themselves, yet *circumstantially* respected according to time and place, they have an unexpediency, and therefore carry an offensiveness with them, or they become offences by the sinister

interpretation of the offended, and then are not justly taken: all *things* indeed *are pure, but it is evil for that man that eateth with offence*, Rom. 14. 20. and though the offence may be but a reputed or supposed one (v. 14.) by the offended party, yet it may be really given by the *offending* party, and the offence be unjustly taken as to the thing or action, yet it may be justly taken as to the *party offending*, who is as well acquainted with the *weakness* of his Brother, as the *indifferency* of the action.

§ 6. The *sinning offence* is such a thing or action in one man, that becomes an *occasion of sin* in another, whether it work upon him by way of *Example, Advice, Compulsion*, &c. if it force or allure him into sin, it's a scandal, and of the grossest and most hainous nature; and a man is offended here many times, when he is pleased as to the carnal part, as he always seems to be when they close with him by way of encouragement, because sinning is most properly spiritual stumbling and falling, and those things that occasion it are *metaphorically* called *Traps, Gins, Snares, Stumbling-blocks*, in Scripture-phrase; and in that sence is σκάνδαλον most frequently used. This *Scandal*, or occasion of falling into sin, is diversly taken; it's sometimes ascribed unto Gods judicial proceeding with the sons of men, when he lays such Providences before them which he knows will become a scandal by reason of their corruptions, *viz.* of further more visible and exemplary sinning unto them, *Ezeek.* 3. 20. *Jer.* 6. 21. in this sence Christ became a *sinning scandal* unto a great part of the world: To the *Jews*, a *Stumbling-block*, and to the *Greeks*, *Foolishness*. The sufferings and falls of Gods people, intended for the *humbling, proving*, and *doing good* unto them, have their *hardning effects* upon the wicked: The same *Sun-beams harden the Clay, and soften the Wax*; *Quicquid recipitur, recipitur ad modum recipientis*. Many Creature-comforts used by some for nourishment and comfort of life, become no better than Poyson unto others by their intemperate and sinful abuse of them, and are called a *Snare, Trap, Gin, Scandal*, Rom. 11. 9. It's attributed to any subtile *enticement* or *insinuation* to the commitment of sin, either of our own inherent Lusts and Affections, *James* 1. and in this sence the *right Eye*, or *Hand* is said to *scandalize us*, *Matth.* 5. 29. and 18. 9. *Mark* 9. 47. Or it's taken for another's *insinuations* or allurements to sin, by Words or Actions, by *Words and Perswasions*, that of *Peter* to our Saviour, *Matth.* 16. 23. By alluring Actions and Practices: so *Balac laid a Scandal before the Children of* Israel, *Rev.* 2. 14. Moreover,

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it's attributed to any thing sinfully hurtful, or as a fruit of sin *noxious* unto man, especially all sinful incorrigible men; all which scandals *Christs Angels* shall gather out at the end thereof, *Matth.* 13. 41. But the use of the word mostly in our sence, is such a kinde of *Stumbling-block* as one Brother may put in *another's way*; or more largely, such a kinde of Stumbling-block as is an occasion of *sinning to any of Christ's Members.* 1. Such as is laid by the malicious World and Pharisees, who are plotting and contriving entrappers of Gods people, like *Balaam* and *Balack*, and rejoyce over them as Enemies when they have brought any of those little ones into sin; our Saviour's Wo belongs to them, *Matth.* 18. 6. 2. When one Believer *offends* another, the *strong* doing an action (to him indifferent) whereby the weak by misunderstanding becomes seduced to, and entrapped, or established in sin.

§ 7. There are these ways whereby the *indifferent act* of the Strong becomes a *sinning scandal* unto the Weak. 1. When it encourageth the Weak to an *implicite Faith*, taken upon the practice of the Strong (*i. e.* of one eminent for *Grace*, *Gifts*, *Exemplary sufferings*, or places of dignity and trust) to do those things which he doubts to be lawful and warrantable *by the Word of God*, and then this weak Believer *ex animo* is condemned in Conscience (not absolutely damned, as some understand the use of that ambiguous word in the translation) the reason added is demonstration enough, because *whatever is not of Faith is sin*, and all sin condemns by a *concomitant or subsequent* guilt attending. 2. When the actions of the strong, lawful in his performance of them, is a *confirmation* of the weak in his unlawful practice of the same thing, as in the Apostles instance of *eating things sacrificed to Idols*: The strong eats it as other meat, without any conscience of, or respect to the *Idol*; but the weak is confirmed in his idolatrous or superstitious use of it, 1 *Cor.* 8. 4. and the same thing being but an indifferent lawful action to one, is *Superstition or Idolatry* to the other, eating with some respect to the Idol, or with a Conscience checking upon that consideration; and so their *Conscience being weak is defiled* (*i. e.* becomes accusing of sin, and therefore polluted with guilt, *Heb.* 10. 12.) but meat *commendeth us not to God*, v. 8. *i. e.* an indifferent thing in it self, we are never the worse for it, provided no sinful circumstances do attend it; but take heed lest your meat (*i. e.* an indifferent thing) and your liberty in the use of it, *become not a scandal*, i. e. *an occasion of sin to the weak*: For *if any that is weak see thee which hast knowledge sit at*

meat

*meat in an Idol-temple*, ( and think that thy carriage be with some civil or religious respect ) *shall not such a mans Conscience be emboldened?* (οἰκοδομηθήσεται) *or edified?* i. e. confirmed in his Judgement and practice in eating such things. If he that is weak see thee use an indifferent action ( such as bowing, kneeling, *&c.* ) in the service of Idolatry or Superstition, will it not embolden him to the like practices? *i. e.* either encourage him to venture on a practice which he was affraid before was sin, or embolden him confidently to persevere in that practice which he went on in before with a doubting or scrupling Conscience; so that by thy knowledge ( *i. e.* by the occasion or example of it ) shall thy *weak Brother perish*, so far as he is concerned in thy actions, ( for whom Christ died ) and so far as thou knowest, he being *fallen into, or confirmed in sin* by thy means; and when ye *sin so against the Brethren, and wound their weak Consciences, you sin against Christ*. The Apostle enlarges further and very plainly upon this point, 1 *Cor.* 10. 23. to the 9th, *&c.* which I shall not detain the reader upon, but onely refer him to distinct reading and consideration of the Text; and shall conclude this point with that eminent place of *John* the Apostle, 1 Epist. ch. 2. 10. *He that loveth his Brother abideth in the Light*, ( *i. e.* the truth of the Gospel ) and there is *no occasion of Stumbling* ( the word is σκάνδαλον ) *in him*; that is, no *active scandal*, i. e. he gives no occasion of falling unto his Brother; and there is no *passive scandal*, he is so far enlightned and informed in the truth, that he doth not easily take offence at his Brothers actions, so as to start from the truth, or walk in any ways of *sin or errour*; neither is he soon offended and prejudiced at his Brothers person or profession, as to start from the communion of either. But *he that hateth his Brother* ( i. e. hath little regard to the welfare of his Brothers Soul ) *is in darkness, and walketh in darkness*, and knows not whither he goes, because darkness hath blinded his Eyes; *Ergo*, will both stumble and fall, and lay Stumbling-blocks and Scandals in the way of others, that they may fall also.

CHAP.

# CHAP. IX.

## *Of Neceſſities and Indifferences.*

§ 1. IN the next place, it will follow to conſider the things wherein the Conſciences of the ſtrong and weak are moſtly concerned, about the doing or not doing of which, Scandals and Offences do ariſe amongſt Chriſtians; and thoſe are *things neceſſary and indifferent.*

§ 2. The things wherein Conſcience is bound to *doing* or *avoiding* by ſome Law, are *things neceſſary*; and if by Chriſt's Law, they are *religiouſly neceſſary*; if by Man's Law, they are *civilly neceſſary*; if by the Law of Nature, then *naturally neceſſary*: all things whatever antecedaneous to a Law, are in a poſſibility to neceſſity or indifferency; thoſe things that are doubted of, (ſuppoſing them *under a Law*, or relating to it) not appearing to us whether *neceſſary or indifferent*, are *ſcruples*; and theſe are not ſo much in the nature of the thing, as in Conſcience.

§ 3. An *indifferent thing* is generally known by this deſcription, *Eſt medium quod ita ſe habet ad duo extrema, ut non magis ad unum quam ad alterum inclinet*: It's a middle thing that reſpects both extreams alike: as that which is indifferent in reſpect of *Morality*, it's in it ſelf neither *morally good*, *nor morally evil*; it is as it were the middle of a Line that leaveth ſo much on both ſides, that it is equally ſeparated from both, in that as it is not the one, ſo it is not the other; and though good and evil are properly *oppoſita per ſe ſine ullo medio, vel adverſa*, (for there is nothing in the world but is good or evil in ſome reſpect or other) but becauſe moral or civil good or evil is additional after the determinations of Nature, *in genere ſuo*, by ſome further Law: there are ſome things or actions not concerned in the ſaid Laws, which things therefore can have no *moral or civil* goodneſs or evil in them, but remain *adiaphora*; and ſo in this conſideration neceſſary, good, and evil, and indifferent, are *diſparata*, and not *contraria*; thoſe things or actions which directly fall under the Law by poſitive Command or

*Ἀπόφασις, Sine diſcrimine aut differentiâ, h. e. ratione boni & mali determinati aut lege.*

*Eſt bonum & malum phyſicum moraſe civile.*

or Prohibition, are said to be absolute good and evil, though it's but *secundum quid*, viz. properly in relation to the Law; and those things or actions which are not directly concerned in the Law, but onely circumstantially, (indifferent in themselves) those are relatively necessary, and respectively onely good or evil.

§ 4. Though Good, and Evil, and Indifferent, are *disparata*, yet Necessary and Indifferent are *adversa*, and there is no *medium* betwixt them; for all things in the world are or may be ranked under these two Heads, in respect of any Law of God or man whatsoever: For either they are concerned in the Law, or not; if they be concerned, they receive a relative constituted good or evil from the said Law; if not concerned as to *Command or Prohibition*, they remain indifferent, and their indifferency also must be *respective*, as to this or that Law; for a thing may be indifferent and unconcerned as to one Law, when it's *concerned* in and *made necessary* by another Law.

§ 5. By Laws of *Nature* in distinction *from morality*, I understand more than *meram artem Physicam*; here must be understood the rules of all Arts, which are as so many Laws to direct every thing, in its various respects, unto its right end; and all conformities and agreement of the things, or respects to the said rules in *directo*, is good; and all Irregularities and Falsities are evil: though *bonum & malum* is most proper in the *moral* acceptation, yet we must allow it to be in other Arts besides *Divinity*; in *Logick* there is good and evil consequence, reasoning, *&c. verum & bonum*, though they be morally contra-distinct, yet they are in Logick convertible terms; so there is the *directio* of every Art, which is its *veritas* leading to its right end, and this is the *bonitas* thereof. There is also a necessity in them, and *Necessarium, quando semper verum est, nec falsum esse potest*, when the Axiome affirmed is always true, and never can be false; to this is opposed a *contingency*, which indeed is a *medium* between *Truth* and *Falshood*, as *Indifferency* is between *Good* and *Evil*, and is an Axiomatical indifferency properly, as the other is moral; and those things that are *contingent* are indifferently concerned in the rules of Art to *Truth or Falshood. Sic vera sunt ut aliquando falsa esse possint, & sic falsa ut aliquando vera esse possint.*

§ 6. All *Necessities* respecting Conscience and religious practice, are *moral*, and have their good and evil determined by a *moral Law*; and these are of two sorts, *Absolute*, or *Relative*; *Absolute*, when the principal substance of the thing or action is determined as to *good* or *evil*; the moral Law looks directly upon it; the duty is called

*perfectum*

*perfectum officium*, κατόρθωμα, a perfect or absolute throughout *Duty*. A *Relative necessity* is, when an indifferent thing (in itself) by a circumstantial respect to another thing, falls under some Law, and becomes good by way of *expedieney*, or evil by way of *non-expediency*; it's call'd *commune*, κοινὸν, or *medium officium*, *quod cur factum sit ratio probabilis reddi potest*, Cic. off. πάντα μοι ἔξεστι, ἀλλ' οὐ πάντα συμφέρει, 1 *Cor.* 10. 23. an *indifferency* may become a *necessity per accidens*, *pro hic & nunc*, and this is an *expediency*, *or non-expediency*, which cannot be properly a medium between a necessary thing and indifferent; because every moral *expediency* is necessary *in genere boni moralis*, *pro hic & nunc*, though not *pro semper & ubique*.

§ 7. Things have a *Necessity of nature* in them, when they are so ordained of God the Creator of all things, that they should be, or do this or that to the compleating their being or welbeing, in order to the accomplishment of that end for which he first introduced them; and his command unto them (the proper catholick rule of every art) so to be and do, is the *law of nature* which all natural agents under the conduct of respective Arts and Sciences do receive, *viz.* what they should be, what they should do, and to what end they should tend; all which are undispensable (*rebus secundum naturam aut regulas artis, positis*) and unalterable by any but God alone; and they are his *Ordinances* for the rule of *Sun*, *Moon*, and *Stars*, &c. given by God, and cannot depart from before him, *Jer.* 31. 35, 36. אם ימשו החקים האלה מלפני *if these Statutes be removed from before me*; hence all Creatures and things should according to their first constitution, have kept their regular Motions to the best ends Supream and Subordinate; and so all good, though since the breaking in of the *Curse* upon the Creature for mans moral transgression, there's entred thousands of natural evils into the world, so that nature hath swerved from its primitive course in many things, and run in the crooked channels of *disorder and confusion*. Hence natural indifferencies are such natural *Actions*, *Modes*, and *Tendencies* of the created beings, which may be or not be without any prejudice to the common *course of nature*, without any destruction to the *esse*, *bene esse*., or *last end* of the Creature. As a man may be Tall, or Short, Fat, or Lean; of a fair or black Complexion: So a Sheep, black, or white. It may Rain or be fair Weather on this or that day. The fuel of Fire may be Hay, Straw, Coal, or Wood: The Eye may look on this or that Object: The Understanding contemplate this or that truth: The Will chuse this or that good; and

infinite other varieties that nature ſports itſelf in, without any diſtraction, or ſo much as wrong to the neceſſities of nature, or breach of any of the Laws or Rules thereof.

§ 8. Things or Actions are *politically neceſſary, or indifferent*, when they become neceſſary by ſubjection to ſome Law of *Polity*, or indifferent by being void of limitation by that Law. *Political Neceſſities and Indifferences* are either *Civil or Eccleſiaſtical: Civilly neceſſary* are either when the things or actions themſelves have an innate tendency to the order of civil Societies, or the exerciſe of diſtributive or commutative juſtice, flowing from the influence of the moral Law diffuſing itſelf through all natural Conſciences, and becoming the very *Veins* and *Sinews* of Societies; or when according to the *diſcretion* or *prudential arbitrament* of the civil Magiſtrate (agreeing to the conſtitution of the Government) a *civil Law* is enacted, where it bindes, is *civilly neceſſary*, and that which it leaves unbound is *civilly indifferent*, and neither good nor evil in reſpect of that Law. Unto this Head may be referred *Oeconomical neceſſities* and indifferences, of which we may have ſome ſuch analogical underſtanding which I ſhall not now ſtay upon.

§ 9. Some things and actions fall under a *ſpiritual political* conſideration, and are *Eccleſiaſtical*, pertaining to *inſtituted Worſhp*, to the Government and Diſcipline of Chriſt's *Body-politick*, which is his Church, and theſe are *Levitical* or *Evangelical*. *Levitically neceſſary*, where ſuch things which were commanded by the *Ceremonial Law*, the revealed Will of God for the order and manner of his inſtituted worſhip in the Jewiſh Church under the *Pedagogy* of *Moſes*. *Levitically indifferent*, where thoſe things that were left undetermined by the ceremonial Law, might be lawfully done or not be done according to *diſcretion*.

§ 10. Things or actions *Evangelically Eccleſiaſtical* are alſo *neceſſary* or *indifferent*. Neceſſary, when they have a *determination* of *political good or evil* laid on them by the Law of Chriſt, for the management of the affairs of his Church under the *Goſpel*. Things in reſpect to the Church-conſtitutions are alſo *indifferent*, when they are not declared by the Law of Chriſt to be of any neceſſary concernment to the being or well-being of the *Eccleſiaſtical Polity*. All Eccleſiaſtical Inſtitutions are founded on the Moral Law, but are diſtinguiſhed from the Moral Precepts by the name of *Inſtituted Worſhip*; becauſe God ordained the *Moral Law* to be a rule of Obedience under all the ages of his Church; but Chriſt hath reſerved to himſelf the

pre-

prerogative of altering *instituted Worship* at his pleasure, as it shall appear to his wisdom to be more agreeable to those several ages and great ends that he designes the attaining of, by the Oeconomy of his Church Militant in the world; and the great and principal change that he thought good to make, was when he changed his Church-discipline from *Oeconomical* to *National*, and from *National* in one Nation, to *particular Congregations* in all Nations whither his Gospel should be dispersed. This last change of instituted Worship we are under, and it stands constituted by the Laws of his own *promulgation* by himself *immediately* when here on earth, and by his Apostles after his Ascention inspired with his Spirit, extraordinarily *commissionated* by his Authority. From under this last Ecclesiastical Constitution we must not, we dare not start till his second coming, the date of its continuance being fixed by himself.

## CHAP. X.

### *Some plain Propositions concerning things Necessary and Indifferent.*

§1. HAving thus briefly described and unfolded all sorts of *Necessities* and *Indifferences* requisite to our purpose, and ranked them to several Heads, that we might not be mistaken in the following Discourse when we speak of any of them distinct from the other; We judge it now convenient in the first place, before we come to argue the matter in controversie, to lay down a few *general* Propositions to the intelligent Reader, whereby the nature of these things will further and more clearly appear.

1. No created beings or actions had any thing of moral necessity or indifferency *antecedent* to a moral Law: for *where there is no Law*, things cannot respect it as good or evil; and if the two extreams cannot be without a Law, neither can the middle be in respect to the said Law; and if some things are not made morally good or evil by commanding or forbidding, other things cannot be morally indifferent as to good or evil.

2. Though things have no indifferency *antecedaneous* to a Law, and without respect thereto; yet they have a *possibility* of necessary *goodness*, *evil*, or *indifferency*; and those things that are *good or*

*evil* by one Law, may be left *indifferent* by another, *& vice versâ*.

3. The same Law that ordains things or actions *necessarily good or evil*, doth *exclusivè & implicitè* determine things *indifferent* in reference to its self; for such things as are neither *commanded or forbidden*, are neither *good or evil*, and therefore may be done or not done without sin, being *indifferent*.

4. There is none can loose or absolve from a *binding Law*, but he that hath the *Legislative power*, or one *superiour to him*; men may by alteration of Statutes, change their *necessities* into *indifferences*, *& vice versâ*; or God by his supremacy may do this in mans Laws, but no man can abolish God's Laws, or make new ones of the same kinde by changing things that he hath left *indifferent* into *necessities*, it is his *Prerogative* onely.

5. All appearances of things to be what they really are not, by the several respects they have to the Law they are under, are *errours* and *hallucinations* of the Understanding; for *good* sometimes appears *evil*, and *evil good*; *necessary* things *indifferent*, and *indifferent* things *necessary*: And though our walking must be and can be but according to the *illumination* of our Understanding, yet doth not our *Judgement* or *Consciences* alter the true respect that things have in themselves.

6. All religious actions, as such, practically circumstantiated, whether *moral* or *ceremonial*, are *good* or *evil*, and cannot be called *indifferent*, unless in an *abstract* consideration from all *religious respects*.

7. Absolute *good and evil* are not of the same extent with *lawful* and *unlawful*; for an *indifferent action* is *lawful* which hath no determination by a Law to *good or evil*, because not onely the Precept, but even the *permission* of the Law makes a *licitum*, but it's onely the Prohibition that makes it unlawful. Hence indifferent things are not *media inter Licita & illicita*, for they are *contradicentia*, and indifferent things are *licita*, and upon that account referred to the Law, and confirms that indifferent things cannot be said to be so but in reference to some Law, *lawfulness* being an essential property of an *indifferent* thing.

8. To say that an *indifferent thing* is a mean between commanded and forbidden, is all one as to say it is a mean between *good and evil*; for there is nothing *good or evil*, but by vertue of something carrying the force of a Law in it, that by a *Command or Prohibition* puts the nature of good or evil upon it correspondent to the said Law: As the Law of the Creation makes things *naturally* good or evil, the

Law *moral* makes them *morally* so, *&c.* and that which is *prohibited* as not answering the ends of the one or other, is necessarily *evil.* That which is commanded as answering the ends, and *requisite*, is *good necessarily.* That which in itself may or may not answer, and is not absolutely *commanded or forbidden*, is neither *good* nor *evil*, (in respect of that Law, though it may be in respect of another) and therefore *indifferent.*

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## CHAP. XI.

### *Concerning Christian Liberty.*

§ 1. UPon the true stating of *Necessities and Indifferences* depends the right understanding of *Christian Liberty*: concerning the genuine *meaning* and *extent* thereof, it's needful that something be subjoyned.

That there is such a thing as *Christian Liberty*, many places in the New Testament will evince: we shall briefly explain how the word ἐλευθερία is taken. 1. For *freedom* from the *impurities* of sin, because the ways of sin are bondage; so the Word of God directing to holiness, is called the *Law of Liberty*, Jam. 1. 25. ch. 2. 12. 2. Sometimes taken for Liberty or *freedom from the Curse* due to sin, or lying upon the Creature for it in its effects, *Rom.* 8. 21. 3. It's taken for *Freedom* from the darkness of, and bondage to the *Mosaical Vail of Ceremonies*, 1 Cor. 3. 17. 4. For a *free use* of indifferent things ἵνα ἡ ἐλευθερία μὴ πρόφασιν ἀφορμῆς τοῖς θέλουσιν, 2 *Cor.* 3. 17. *Gal.* 2. 4. In all places I finde *Liberty* hath a respect to some Law whereby men are bound either under *duty*, or unto *punishment.* We are freed from the *punishment* of the moral Law by Christ, but not from duties required by it, *Gal.* 5. 1. It is a freedom purchased for us, Christ having satisfied the Law in respect of guilt. 1. It's taken for a *Liberty* from sins dominion, which is a transgression of the Law, *Rom.* 6. 18, 22. *Joh.* 8. 32. 2. It's opposed to the bondage of *expectation of Justification* by the works of the Law, *Gal.* 4. 22. to the 30. *Rom.* 7. 3. Now *Christian Liberty* as it respects indifferent things, it flows from the Law of Christ two ways, either by way of release from the *bondage* of some Law, by the *repeal* of it, as of the Ceremonial Law, which consisted in many *observations of Days, Meats, Habits*, and

many

many *Rites* and *Ceremonies*, and is *liberatio*; or by allowing us and entrusting us with a *Latitude* in the use of many things, notwithstanding all *supervening Laws* and impositions, and therefore this is that Liberty which we are commanded by Christ to maintain, *Gal.* 5. 1, 2, 3. we are to take heed that we *be not entangled again in the Yoak of bondage*; that place is comprehensive of all the *Liberty purchased* for us by Christ, in respect of the *moral*, and all *ceremonial Laws*; and so far as we have a Liberty by *Gospel-charter*, we are to stand fast in it, avoiding all re-intanglements of Conscience by the Children of men, that *spy out our lawful Liberties*, and would deprive us of them; *Ye are bought with a price, be ye not the servants of men*, 1 *Cor.* 7. 23. which place must be understood in *religious service*, such as is done in obedience to the *immediate commands* of Christ, as appears *v.* 22, and 24. for Christ doth not prohibit *service to men* in *Domestick and Civil affairs*, but a slavery to the wills of men in the matters of Religion and *instituted Worship*; be ye not *time-servers* or *men-servers*: So that by Christ's Law we are bound to refuse homage to mens Usurpations in matters of Religion.

§ 2. As what Christ's Law to us determines (for our practice) to good and evil in all things and actions comprehended under that Law is definite; so what he hath not there determined some way or other, either *explicitely or implicitely*, is *indefinite*, and a Christian hath therein his Liberty to do or to forbear without sin, as in such matters as relate to *religious observations* in Meats, Drinks, Days, and Circumstances attending instituted Worship, not commanded or forbidden by Christ, but are left by Christ to our *Liberty* to do or not to do, by the judgement of *discretion*, as it hath most tendency to the *glory of God* and edification of our selves and others: As for example, to sit or stand in hearing the Word, to kneel or stand, or lie prostrate in Prayer; for a man to turn his face to the *East* or *West*, or wear this or that *Colour* in the Worship of God, *&c.* thousands of instances may be given. We speak not here of *natural*, *civil*, or *moral* Liberty; there's no doubt but a Christian as a man may claim as much of that as another, and hath as much Law-obligation as to precepts of practice; but the matter under debate is what the *Evangelical Liberty* of a Christian is in the transaction of the affairs of Christ's Kingdom.

§ 3. A *Christian's Liberty* is not a *boundless and lawless Liberty* in those things wherein he is most free, but hath its special limits and bounds set unto it by Christ, in certain Rules and Precepts generally pre-

prescribed by him, to which all his actions may be reduced, either as to the *substance* of them, and so fall directly under that Law; or to the general *circumstances*, and so are subject more remotely. Hence there are no actions that a Christian doth of religious concernment, that are *compleatly indifferent*, but hath *aliquatenus rationem boni aut mali.*

§ 4. The Spirit of God (if I mistake not) sets a double bound to *Christian Liberty*, viz. *Moral* and *Evangelical*. 1. *Moral*, in that Christs Law allows none the liberty of committing *moral transgressions*; it owns, ratifies, and confirms all moral *Precepts*, *Prohibitions*, or *Permissions*, and none may use *Christian Liberty as occasion of licentiousness*, Gal. 5. 13. 1 *Pet.* 2. 16. 2. The *Evangelical bound* to Liberty in matters left by Christ indifferent, is *Expediency*, by which a thing that is substantially *indifferent* may be relatively and circumstantially *necessary*, *pro hic & nunc*, and becomes *bonum aut malum contingens aut respectivum*, and that is *medium officium*, καθῆκον, when a thing lawful in itself becomes unlawful: the rule is plain, 1 *Cor.* 10. 23, 28, 29. therefore, 1. All actions, and therefore *indifferent*, must be directed to the great and general moral end of *Gods Glory*, 1 *Cor.* 10. 31. *Rom.* 14. 6. a man may eat or drink, or wear this or that thing indifferently, so that it be to God's glory; keep a day, or not keep it; chuse this or that time to pray in for the same ends. And hence Election is to be made of *indifferencies* according to their more or less *tendency* or *aptness* to accomplish that great end. 2. A second end, but *subordinate*, in expediency to be respected, is *edification* of our selves or others, 1 *Cor.* 10. 23. and that which respects neither of these ends with at least some tendency, is *religiously vain*, as wearing one colour more than another religiously in the worship of God, and in one part of worship more than another; what doth this conduce to *edification*, by which way, if any, it should be sublimed to God's glory? and to bring *vain oblations* to God in his worship, is abominable to him in all ages of the Church.

§ 5. God hath not by Laws determined particularly all the cases of a *Christians Conversation*, but left many to the management of the judgement of discretion by the rules of *expediency*, which is a skill of discerning between *good and evil*, Heb. 5. 12. and between *good and better*. *Discretion is the highest pitch of practical Judgement*, which although it be guided by general rules for attaining the great end, yet it takes its particular measures very much from former experiences, and the sight of various *circumstances* and *occurrences*, and accordingly

cordingly it judgeth what may be more or less expedient in all actions; and though in themselves they are indifferently *referrable* this way or that way, yet by that time they are reduced into practice by a Christian's spiritual Reason and Discretion, acting from senses exercised, *Heb.* 5. 12. there is manifest *good or evil* at least *relative* discovered in them, or at least put upon them by the said general ends and rules of walking.

§ 6. As *strength* appears most in the management of a man's self according to the rules and observances of discretion, so *weakness* in the failure hereof is most discoverable; and by an *accumulation* of these little failures, a Christian doth exceedingly *miscarry*, and Profession becomes very much disparaged.

§ 7. Hence *indifferent actions* may become *offending*, *grieving*, and *scandalizing* unto others, by reason of some *external accident*, *temporal or local respect*, and so may be unlawful by the rules of *expediency*; for that which certainly is not *expedient*, is *unlawful*, though degrees are to be admitted in this case.

§ 8. As the *scandalizing* others is a mischief that makes an indifferent action *unexpedient*, so also the betraying our *own Liberty*. *Paul* in his acting kept a watchful eye here: when he found that some designed by an indifferent thing to bring him into bondage, he gave not the least place to them, as in the matter of the *Circumcision* of *Titus*, Gal. 2. 3, 4. We are to stand fast in our Liberty, and not to be *enthral'd* in bondage, though it be but by the doing an action in itself *adiaphorous*.

§ 9. *Whatever is not of Faith is sin*, and the necessity of every *action* or *forbearance* must appear to every mans Conscience, that he may do or forbear believingly in all *religious concernments*; therefore all absolute necessities must be bound on his Conscience by the knowledge of some Law positively *commanding* or *forbidding*. And all *relative necessities* (*i. e.* indifferencies circumstantial) must arrive at Conscience with their *Expediencies*, which must be the ballance of Election in things equally good in themselves; their *comparative* goodness, must be *respective*, or evil must make some appearance to the *judgement of discretion*; and a Christians *freedom* in the exercise of the said judgement according to the several cases he meets withal, is his *Liberty*, which Christ hath purchased, and a Christian cannot be deprived of *jure* by any *Exotick Law*.

§ 10. Where things are absolutely indifferent, and there is no apparent respective difference between *adiaphorous things*, it's a Chri-

Christians *liberty* to take the one or the other, he sins not against any rules of *Expedience* in taking either; for both are lawful and expedient enough: neither do I know why any additional Law should make him a Transgressor in *chusing* or *refusing* of either in matters of Religion; for an action or thing may be equally lawful and expedient *morally*, which for some other reasons may not, arising from Nature, his own inclinations, or some other small attending *circumstances*, of which it may not be fit to give an account to any humane Authority as the Transgressor of any Law.

§ 11. As *particular persons* by the rules of Expediency may judge of things indifferent to prefer one before another according to their respect, to know precepts, or to chuse one before another *arbitrarily*, where there is no difference in compared respects: So particular *Churches* and Congregations have the liberty of using their *judgement of discretion* in matters of indifferency, and are to walk by rules of Expediency, for Time, Place, and external Accommodations, but cannot make any binding Law to themselves or others; because those things are alterable in their circumstances, and therefore cannot be determined but *pro hic & nunc*, and must be liable still to no other judgement than that of *Discretion*: Those things that Christ hath left under it, cannot by humane Laws be removed from it; therefore indifferent things may be agreed on by common consent in Congregations, or by the Officers thereof, according as the *expediency or conveniency* appears unto them, and for so long, and no longer. Hence they cannot undergo the Title or Denomination of a Law, but onely of *prudential Rules*, which have no binding reason for observation, but the continuance of the *agreeing circumstances*; as it may be judged most *convenient* by the Church to assemble at such an hour, so long as the days are of such a length; but when that circumstance alters, then it may be more convenient at another. Many such instances may be given, and no Church can walk comfortably as long as any Authority undertakes to prohibit them of this liberty of their *Prudentials* in all such matters of circumstance and alterable appendixes to the worship of God.

## CHAP. XII.

*Wherein is handled the first Question about things Indifferent.*

§ 1. THe first Question that seems to offer itself to be discussed, is this: *Whether a religious Gospel-Indifferency ceaseth to be so, when any thing is positively and certainly determined as to its practice by humane Authority? Explic.* By religious *Gospel-Indifferency*, I understand, as before-mentioned, any thing or action which *circumstantially* adheres to the worship of God, and may be used or omitted, or altered, according to the judgement of *discretion*, without any transgression of *a Law* of Christ. Again, this we acknowledge, that a thing may be determined as to *Expediency* by a Society or lawful Authority, but not imposed as a standing and binding Law; but being commended by the judgements of many concurring, *conscienciously studious* of the minde and will of Christ, it carries the more force along with it, to perswade us at least to present acting, till by further and greater *illumination* we be otherwise enclined. Nay if any thing be determined by those that are in Authority, and proposed as their judgement according to their light received, not *Magisterially*, but *Demonstratively* onely, *convincingly* enough as to the *Expediency*, it carries with it the force of a Law unto Conscience, (not of man, but of God, man being a Candlestick onely to hold forth that Light) and binds it to submit thereunto. But otherwise, if men in authority undertake to make a Law that a thing (in itself by Christ's Law left *indifferent*, i. e. to Christian discretion to do or omit) shall become an absolute *necessity*, or an expedient *necessity*, and according to their will and opinion binde Inferiours to the constant practice of this by a penalty: We affirm that a religious *Gospel-Indifferency* (notwithstanding all humane authoritative determination changing it into a necessity) keeps its pristine indifferency, and remains the same to a Christians Conscience and practice. The proof of this Assertion follows.

§ 2. *Argum.* 1. That power that can change *Gospel-indifferencies* into *Gospel-necessities*, can also change *Gospel-necessities* into *Gospel-indifferencies*; but no humane Authority can do the latter, *Ergo*, not the

the former. The *Aſſumption* will not be denied by any Proteſtant, it being a preſumption of the higheſt nature for humane authority to pretend to diſpenſe with or null any of the manifeſt Laws of Chriſt. The *Major* is alſo evident, becauſe it muſt be an Authority of the ſame kind to *make* and *null* a Law of the ſame kinde. If it be ſaid a humane authority may make a *Goſpel-indifferency neceſſary*, *genere civili*, the Anſwer falls far ſhort; for we ſpeak of Laws of the ſame kinde, having equal force upon the Conſcience: for a *Civil Legiſlative power* can as well null any Law of a *civil nature* onely, as it can make it. So if Man could make Moral Laws, he might as well null thoſe which he hath made, or diſpenſe with them at pleaſure, as make new. We muſt always allow a *Soveraign Prerogative* to Supream Law-givers in any kinde, as to *promulgate*, ſo to *abrogate* or *diſpenſe* with their own Laws at pleaſure: And if it be ſaid that thoſe Laws that man makes concerning the uſe of indifferent things neceſſarily in the worſhip of Chriſt, are *civil* onely, being onely for *decency*, *ſplendor*, &c. I reply, that it cannot be ſo in the nature of them; for it's the reſpect and end of a thing that gives it its *ſpecifical denomination*, when it hath none ſuch abſolutely conſidered: that which reſpects and aims at the *Goſpel-worſhip* of Chriſt, or pretends ſo to do, is or ſhould be a part of *Goſpel-worſhip*; as *kneeling* is an indifferent geſture; a man may kneel when he doth other things beſides acts of Worſhip; or according to the Law of Chriſt, he may kneel, or ſtand, or uſe another poſture in Worſhip: but when this or that geſture is applied to Worſhip, it's religious by its *Reſpect*, *Uſe*, and *Application*, but ſtill of an indifferent nature under the Laws of Chriſt, till by ſome binding Law the Conſcience becomes *bound* up to the uſe of it in this or that part of *Worſhip*. Now he that undertakes to binde Conſcience here, undertakes to make a Law for Chriſt, and to entrench upon the *Prerogative* of Chriſt; and that ſuch that make ſuch Laws do claim ſuch a power, is manifeſt, becauſe they make obedience unto ſuch Laws neceſſary by vertue of a Law of Chriſt: *Let every Soul be ſubject to the higher power.*

§ 3. *Argum.* 2. If the nature of an *Evangelical Indifferency* may be changed *jure* into an *Evangelical Neceſſity*, by any power beſides Chriſt's, then it muſt be becauſe it's *Evangelically evil*, that this or that ſhould remain *indifferent* which Chriſt hath left ſo, or at leaſt better for the honour of Chriſt and good of his Church, that it ſhould become a *neceſſity* (*i. e.* a commanded good, or prohibited evil) than *indifferent*, to be diſpoſed by the diſcretion of particular

Churches or Christians; but there is no true *Evangelical Indifferency* that hath such a reason for the change of it into a *necessity*; *Ergo*, the reason of the Consequence is this, because whatever is altered by a Law, is supposed to be altered from *worse to better*; and what is altered by a Law for Christ, is or should be made more for the honour of Christ, and therefore far better than it was before; but it cannot be supposed that any thing that this wise Law-giver left in indifferency to practice or omit according to the judgement of discretion, should be more for his honour if it were converted into a necessity by a Law; for to say so, would be a high *impeachment* of the wisdom of Christ, as it is of a King and Parliament, when any shall presume to say they have not made such Laws as are needfull to be made, and have left the Subject under a greater liberty than is for the good of the Commonweal, or honour of the King. To say so therefore is to make a double reflexion on Christ: First, that his Laws are *defective*, for the accomplishment of those ends for which they were established, and that the liberty granted by Christ unto his Members in indifferent things, hath too great a latitude to be consistent with that exact Gospel-worship which we should honour him by. And if it be said, that which Christ hath left *Evangelically indifferent* may be unlawful in respect of other Laws, we say that all the true *jus* of other Laws must be founded on Christ's, and his is *precedaneous* to them, and therefore as in authority or practice it must take place before them. Moreover, we say, that Christ hath not so ill established *Christian Liberty*, as that thereby we are licensed to violate any natural or civil bonds.

§. 4. *Argum.* 3. That which by Christ's Authority hath left a *Character* impressed on Conscience, cannot by any authority be abrogated without removal of the said *Character*; but as the Laws, so the Liberty by *Gospel-Charter* granted by Christ, hath left such a Character impressed indelibly on Conscience, as cannot be removed by any other Authority, therefore Christian Liberty cannot be abrogated, *&c. Ergo*, a religious Gospel-indifferency cannot be taken away or cease by the determination of mere humane Laws, *i. e.* humane Laws that Christ never allowed man to make.

The *Major* is evident, in that the revealed will of Christ when it shines into the Heart, fixeth an indelible *Character* upon Conscience for positive obedience, and also as to indifferent things; for he that knows not one by the Law, knows not the other, nor can never tell when he sins and when he doth not; and if any other could

could interpose and make a Law to binde Conscience *sub reatu* by *new Laws*, or release it by *new Liberties*, either to make additional Characters, or *delete* Christ's, Christian Religion would thereby become no other than an undigested heap of *uncertainties* and *confusions*. It's true, *Characters* are sometimes removed from Conscience, as in case of *Justification* of a sinner by Faith, *Rom.* 8. So in case of an *erring Conscience* (that supposeth this to be his duty which is not, and that to be indifferent which is necessary) all errour when entertained lays hold on Conscience, *Sub pretextu authoritatis Christi*, under pretence of *Christ's Authority*, and so do all humane usurping Laws when they insinuate themselves into Conscience; and when by a farther informing light the Errour is expell'd from the *Judgement* and *Conscience*, the Authority of Christ still remains expelling the *Errour*, which no humane Authority could do, and confirming the Conscience in the truth, maugre all the opposition of any humane power: so that where Christ's Laws hath once prevailed so far as to *fix* his Authority there, it was never known (that whatever mens external practices or conformities were) that ever any humane Power could *blot* out the Characters of Christ's *Prerogative*, and fix another Supremacy there; for that is but a vain Law in religious things, that cannot binde the Conscience under *guilt* in case of transgression: I shall never conscienciously observe that for my *duty*, the omission of which doth not make me conscious of a Transgression. As to the *Minor*, that the *liberty* granted by Christ leaves a Character on Conscience as well as the Laws of Christ, is manifest, 1. Because Laws are the bounds of Liberty, and one must be known and acted as well as the other, as hath been said before. 2. Because their liberty is not the will of Christ *permissive* onely, but in some measure *positive*, i. e. so far as that Christians should walk in it, he having but two paths to walk in, either of *positively directed obedience*, or of *Liberty* under the judgement of *discretion* regulated by the rules of Expediency; for either in matters of instituted Worship Christ hath by a manifestation of his will, limited our Actions, or hath left Churches and Christians in the *Equilibrio* of indifferency to poise themselves according to Conscience-light, as to respective differencies by discretion, and where there is an equality to chuse *pro arbitrio*: Again, our *assurance* is not onely *negative*, but *positive*, that it is Christ's will that we should maintain our liberty in Religious things, *stand fast in that liberty*, &c. Neither can any take it away without intruding on Conscience, and entrenching on his Prerogative,

rogative, which for us to yield to were to betray his *Crown and Scepter*.

§ 5. *Argum.* 4. Hence if such a Law be made, it ought not to be made, and *ergo* the thing retains its pristine nature. That Law which directly puts a Christian on a *necessity of sinning* in obeying it, ought not to be made; but a Law that changeth *Evangelical indifferencies* into *necessities*, doth directly put a Christian on a necessity of sinning if he obeys; *Ergo*, it ought not to be made. That the Major may be universal, I adde, (directly) because many good Laws are occasions of sinning indirectly; but when the Law requires such obedience which in the very substance of it is sin, because the obedience directly aimed at is the *formal reason of the Law*, such a Law must needs be sinful. The Minor doth thus appear, because such a Law bindes a man up in obedience to it in one part of the *indifferency*, whereas that part of the indifferency, according to Christ's rules of expediency, may be unlawful to be done, and then the humane Law and the said Gospel-rules contradict one another, *Expediencies* altering daily as to attending circumstances; at some times it's lawful to do that thing which at another is more agreeable to the honour of Christ, and the good of others to avoid. As for Example: the Apostle reckons eating this or that sort of meat sold in the Shambles as an indifferent thing, if I make no question whether it be *Jewishly unclean*, or *Heathenishly sacrificed* to Idols, 1 *Cor.* 10. 25, 27. but if I am enforced by Law to eat this or that sort of meat in the Shambles which is *sacrificed* to Idols, I am necessitated to sin, 1. I offend my Brother that makes this Law, confirming him in sin, for the sake of whose Conscience I ought by the Apostles rule to forbear this act, and therefore sin against all such as idolatrously eat this sacrificed meat: For what can tell me more plainly than the Law, that this or that meat by its attending circumstances is *sacrificed* to Idols? Again, to hear the Word of God in this or that *publick place*, is an *indifferency*; to hear it to my *edification* as near as possible, is the Precept of Christ: but if I am bound by a humane Law to hear always in my own Parish-church, and thereby debarred of my liberty of hearing there where I can most profit; and whereas the Parish-minister is *ignorant*, *prophane*, or *erroneous*, whom to hear constantly must needs be sin to me, I am certainly by this Law put upon a necessity of sinning in yielding active obedience unto it.

§ 6. *Argum.* 5. That *Indifferencies of a Gospel-nature* cannot be alter'd from their nature by any subsequent Law of man, thus appears.

To

To change religious Indifferencies into Necessities, is to make a Law for Christs Worship that Christ never made, nor gave any man power to make; but none may make a Law for the Worship of Christ which he never made, nor impowred any to make; *Ergo*, the Major is without doubt: if the indifferency confessed be in the worship of God, then when it's by any Law made necessary, it's still in the worship of God, and being appointed so by a Law, becomes *instituted Worship* by a Law which Christ never made. The Minor appears, in that none may do so, *i. e.* institute Worship or circumstances of Worship by a *Law* that is not Christ's. 1. It's his *Prerogative* to exercise a Legislative power in his Church. 2. Christ knows onely how he will be worshipped, and it must be founded on his revealed will, which is our Law. 3. None might adde to his Laws under the Old Testament, *Deut.* 4. 1, 2. much less under the New, where there is less of Ceremony and Circumstances, *Rev.*

## CHAP. XIII.

### *Of the power of the Church in matters indifferent.*

§ 1. WHen we come to discuss the power of the Church, it's very requisite to unfold the meaning of the word *Church*, there being no word under which lieth more Amphibology. Many understand a Church a material *building*, or place of *meeting* for the worship of God, being *consecrated* and set apart for that use: and for the *Propriety and Antiquity* of this usage and acceptation of *Ecclesia*, learned Mr. *Mead* very much contends. We shall not stay upon this sence, because none that will oppose us in the present controversie will insist upon this sence so far as to say that the Legislative Power is to be found here.

A Church is also in other sences spoken of: Some say, *every Nation* where Christian Religion is owned by ruling Authority, and by the generality of the people professed, is a Church. Some call a *Province* a Church, a *Diocess* a Church, a *Parish* a Church; so that it's more or less extended, and comprehensive; and it's usually the sence of *Protestants* that assert a *Churches* Legislative Authority in matters indifferent. Others say there is no *national Churches* under the Gospel, though there be Churches in every Nation; and that properly

there

there are no particular Churches, but such who freely and voluntarily *combine* together in bonds of Society for the worshipping of God according to his revealed will, and walk accordingly. Various are the *Sentiments* and Disputes about a Church and the nature of it, the consideration of which will not be so much our concern at this time.

But there is another way of the usage of *Church*, wherein there is greater *ambiguity*, which is very much to the matter in hand that we rightly understand it, *viz.* the *emphatical use* of the word, *The Church*; so many mens Writings and Argumentations being filled and confounded with it now a days, that who can tell what they mean by *The Church?* The *Romanists* say, the Church hath determined this or that; and when we enquire what that Church is, they say the *Catholick Church*, which being rightly understood, is the true meaning of *the Church* according to that rule, *Æquivocum per se positum, stat pro famosiori significato*, the Emphasis putting the word upon the highest and largest *signification*; but when we come to a farther disquisition of their meaning, they tell us, the Church of *Rome* is the Church, and all others that dissent or separate from the Church of *Rome*, are not the Church, or of the true *Catholick Church*. Many Protestants also that speak of the Church, do not understand the *Church of Rome*, or the *Catholick Church*, but some particular *National Church*, viz. of *France*, *England*, *Spain*, &c. but when we enquire what this Church is, they will tell us, it's the body of the *Clergy*, met together in a Convocation by a few Representatives, to make *Laws* and *Canons*, and *Ecclesiastical Constitutions*; the executive power whereof is in the Bishops and their Courts; so that when these few men have made Laws, or exercise Ecclesiastical power, compose Forms of Prayer, or establish Ceremonies at their pleasure, they say the *Church* did it. These two sorts of men make use of this great commanding Word the *Church*: and by this *equivocal term*, sounding so loud of an uncontroulable Prerogative, they suggest unto poor well-meaning people on the one side, that all that the *Pope and the Church* of *Rome* doth; on the other hand, that all that the *Bishops and their Courts* do, is done by the Church, as if it were the whole *Universal visible Church*. It is not my present task here to enquire what is the true meaning of the Church according to the *Scripture-acceptation*, or the most true Logical notion thereof, whether it be a *Genus*, or an *Integrum*, or *totum Aggregatiuum*. I shall onely in the ensuing Discourse apply my self to the most rectified sence of those

those that do defend the *Legislative Authority of the Church*, and if they will not start from all right Reason, and Rules of *Logick*, their sence must be, That *the Catholick Militant Church* is *The Church*, (whether it may be Organical according to Scripture-constitution, we argue not now) constituted of *Subordinate parts*, first *National*, (or if you please Patriarchal before that of National) made up of Provincial, Provincial of Diocesan, Diocesan of Parochial: and this ought to be the sincere meaning of The Church, without prevarication in the sence of those beforementioned.

§ 2. Now the main thing in Debate between the Assertors of the Churches Authority, and the Dissentors from it, is, Whether the *Church* may exercise such a Power, as may *change Indifferencies in the Worship of God, into Necessities*? Which we hold in the *Negative*, and say, That Christ hath never granted such Power unto the Church; he hath granted an *Executive Power* unto his Church, but never a *Legislative Power*; for all lawful power that any Church hath, it must have it from the *Lord Jesus Christ*, who hath all power given unto him in Heaven and Earth, and is the peculiar King of his Church, and hath taken care for the right *Ordering* and *Governance* of it in all things necessary as to Salvation, so to Order and Discipline. And therefore what is not derived from the Lord Jesus Christ, cannot be allowed to be lawfully exercised. 'Tis true, if it could be shewed where Christ ever granted it by his Charter to his Church, that in some particular concerns she might exert a Legislative Power, the dispute would soon be ended; but no such Charter could ever be shewn.

§ 3. If any such Power be granted by Christ, it must be granted to the *Catholick Church Militant*, or to *particular subordinate Churches*; but 'tis not granted to either of them, *Ergo*. Not to the *Universal Church*, because it is not *organized* with Officers capable of a *Catholick Rule*; unless we will (upon false supposition) allow the *Popish* Constitution, or something like it: As for *Oecumenical Councils*, we see what insuperable difficulties have attended the calling of them in all Ages, the just grounds of Exceptions in many things, of the Determination of doubtful cases in Doctrine, and in almost all they have done in their pretences to a Law-making Power, in matters of Church-Order and Discipline. We have not any ground to believe that Christ hath entrusted any Officers of his Church with a *Catholick Power* since the Apostles days, and such as have pretended to it, have always bin opposed by the purest and most reformed part

of the Church: and whatever mens attempts be, or may be, they will never finde a *Catholick Eccleſiaſtical* Power here on Earth (without a new manifeſtation of the Son of Man) which can exerciſe ſuch a power of changing *Indifferencies into Neceſſities* by a Law, wherein the Minds and Conſciences of particular Churches and Chriſtians will or may reſt ſatisfied, to ſubmit unto, in *active Obedience*. It's as irrational to affirm, that Chriſt hath committed ſuch a power to *particular Churches*, *i. e.* of making binding Laws *Sub pœnâ* for other Churches, or for their own Members, or Churches ſubordinate to them: not for other *coordinate Churches*, will they ſay, Chriſt never *gave coordinate Churches a coercive Power* one over another, for then all would aſpire to *Rule*, and none be Ruled, for the power would belong to one as well as another. And if any ſay (as the Papiſts do) that Chriſt hath advanced one Church in Dignity and Juriſdiction over all the reſt, let them prove it to the conviction of any intelligent Chriſtian, and they will do more than the Papiſts have done, ever ſince their pretence thereunto. But it will be pleaded by the Proteſtant party, that Chriſt hath entruſted every *particular Church* with this power, whereby it may determine of indifferent things of her own practice. To which we anſwer, 1. That Chriſt hath given no Legiſlative Power to any Church. 2. A Judgment of Diſcretion to walk by the Rules of Expediency, is no more to be denied to particular Churches, than to particular Chriſtians. But for all this Judgment of Diſcretion, Indifferencies looſe not their nature, (though they may be neceſſary *pro hic* or *nunc*, in theſe or thoſe circumſtances) and are and muſt ſtand capable of dayly Alterations, as the caſe ſhall require; and a particular Church may determine of this or that part of the Indifferency, as moſt expedient; and ſo long as the *Reaſons* thereof laſt, it may be in ſome meaſure binding unto particular mens conſciences; but the *Reaſons ceaſing*, the continuance of the Canon in force *in foro Eccleſiæ*, will binde no mans Conſcience; yea, every one will complain of it as a needleſs Impoſition: neither will any noble-minded Chriſtian be a Servant to the Wills and Humours of Man, or ſell the Birth-right (the Liberty that *Chriſt* hath purchaſed) for *Pins and Points*; neither is it a ſufficient Rule for Diſcretion to walk by, becauſe the Church commands, and gives no Reaſon from the Law of Chriſt for it. Beſides, What Church hath this power committed to them? a Pariſh, a Dioceſs, a Province? No, 'twill not be granted of either of them. The great Aſſertors of this Power will ſay, That it belongs to every

National

National Church to make Laws in *matters of Indifferency*, and ſo ordain their own *Ceremonies*. This is an Aſſertion that introduceth a *whole herd of Abſurdities* with it; For firſt, What is the great end pretended of ſuch Laws, but the making of *Uniformity* in the *Church*? What is more deſtructive to it than this, that every *particular Church* ſhould be *Independent*, and make Laws within themſelves? whereas one will ordain Ceremonies of one kinde, and another of another, and there will be as many *ſorts of Ceremonies* as there are *particular Churches*: Is not this the great exception againſt the *Diſſenters from Prelatical Churches*, that the particular Paſtors of each Congregation ſet up for themſelves, and *Exerciſe Juriſdiction* within themſelves, without dependence upon any *Superiour Power*? There is no avoiding it upon this *Hypotheſis*, but National Churches muſt be reckon'd *Independent Churches*. 2. Did Chriſt commit any ſuch power to any ſuch Churches on Earth? 3. Again, If National Churches may exert ſuch a power, then they may make binding Laws to all *Subordinate Churches*, viz. *Provincial*, *Dioceſan*, *Parochial*; and if ſo, then for this Reaſon, becauſe they are more *comprehenſive Churches*, including the leſs: Then by the ſame Reaſon, the moſt *comprehenſive Church*, viz. *the Catholick*, ſhould give Laws to the *National*, and for a greater and more eminent end, *viz.* to promote an *Uniformity Catholick*; for if a *National Uniformity* be ſo ſplendid, and ſo much conducing to the *bene eſſe* of the Church, then a *Catholick* much more.

§ 4. *Argum.* 3. To make a *Law* contrary to the revealed Will of Chriſt, is *unlawful and Sinful*; But for the Church by a Law to change *Indifferencies* into *Neceſſities*, is to make a Law contrary to the *revealed Will* of Chriſt; *Ergo.* The *Major* is granted: for theſe *Lawmakers*, ſay they, do not by their Laws eſtabliſh any thing contrary to *the revealed Will* of Chriſt; for hath he any where forbidden *ſuch Ceremonies?* We proceed therefore to the proof of the *Minor.* If all *Neceſſities* in the Worſhip of Chriſt be made ſo by Chriſt's Will revealed, and all *Indifferencies* become ſuch, becauſe they are not reſtrained under Chriſt's Law; then they are ſo, becauſe Chriſt would have them to be ſo: For a Chriſtian can take no meaſure of *Indifferencies*, but by the Law of Chriſt; for he cannot know them but by knowing the Law binding unto *Neceſſities* by *Commands* or *Prohibitions*. So that *Indifferencies* are made ſo by the revealed Will of Chriſt, as well as *Neceſſities*; and the ſame Law that makes the one thing a *Neceſſity*, makes another an *Indifferency*; and Chriſt in his

Wisdome sees it best for his Gospel-church, that it should be so: and he that undertakes to make these *indifferent things necessary*, enters upon a high presumption, no less than the altering the *moral Nature* of a thing, constituted by the revealed Will of Christ; and what is this less than making Laws contrary to the said Will of Christ? That is only necessary in the Worship of Christ, which he hath made so, and that indifferent which he hath left so by his Will; an *Indifference* in his Worship is no other than something *not necessary* in his Worship, for there is no *medium*, they are *adversa*. Therefore he that wills something to be *necessary*, which Christ willed *not necessary*, doth will something *contrary to the Will of Christ*, by all Rules of *Logick* and right Reason in the world. I know it will be answered, That they do not alter the nature of the thing; it remains as it was; but this or that determination for practice is to be *obeyed* when it is *commanded*; as the Father commands a Child to take up a Pin, it's an indifferent thing to take it up or let it alone; but because of the Fathers command he is *bound* to do it. Ans. It's true, because there is a command of Christ, that enjoyns the *Child's Obedience in all lawful things*, and therefore upon the Fathers command it becomes *necessary* that the child yield Obedience; but this is but a command for one particular action, and therefore under Expediency: If the Father should make a Law, that one child should pick straws all his days, and another play at push-pin, such Laws would become null in the nature of them: but there is nothing more absurd, than to affirm that they alter not the nature of the thing; for what can alter it more, than to lay it *under a Law?* when a thing was *indifferent* unto practice before, to make it *necessary* as to practice; when it was *lawful* before, to make it *unlawful*. We have shewed that Necessities and Indifferencies are but relative in respect of the Law; and he makes a Law, that gives things contrary relations and respects to what they had before, alters the nature of the thing as much as a Law can, and makes one Law contrary to another. Men do but trifle, that plead that things are not made *necessary in the Worship of God*, when the practice of them are enjoyn'd under the greatest *Church-penalties*, (what's greater than Excommunication?) yea, pecuniary Mulcts, Imprisonments, Deprivations, *&c.* yea, and Offenders against the Laws persecuted with greater rigour, than those who live in the constant and open Transgression of *Moral and Gospel-Precepts*.

§ 5. I may take another very plain *medium* to prove the *Minor*; thus

thus: He that makes a thing *unlawful*, either to be done or left undone, which Christ hath made *lawful* by his Law, doth that which is contrary to the Word of God; but he that changes *Indifferencies* into *Necessities* doth so. There is nothing more plain than the Major: for to make a thing unlawful, *&c.* *Lawful* and *unlawful* being *contradicentia*, and he that by a new Law renders that *unlawful* for my practice, which Christ's Law hath rendred *lawful*, doth a thing *e Regione*, contrary to the Law of Christ. For the Minor, its as evident, for by the Law of Christ, the indifferent action was lawful for me to do or omit, as to eat such a sort of *Meat*, or keep *such a day*, or *wear such a garment*; but there is a new Law of the Church comes, which now makes it *unlawful* for me, either to do or not to do those things; for he that makes a Law binding always to the practice of either part of the *indifferency*, makes the other part *unlawful*, which antecedaneous to this Law was lawful. Now the Church of Christ cannot make that *unlawful*, which he hath made *lawful*; for they may as well make that *lawful to do or omit*. Again, If the Church may make that *unlawful* which he hath made *lawful*, then she may take away the *Relative Goodness* that is in any part of an *indifferent action*, by the Rules of Expediency, and stamp upon it a *positive evil*; which is contrary to what Christ hath done, *&c.* Again, Nothing can be *Ecclesiastically* and therefore *Religiously unlawful*, which is not made *Ecclesiastically and Religiously Evil*; and nothing can be so *Jure*, but by the Will of Christ, no more than any thing can be *Ecclesiastically good and necessary* without the said revealed Will of Christ.

§ 6. *Argum.* 4. The *Church* is not capable of a *Law-making Power*, Ergo. I prove it thus; He that cannot *jure* or *de facto* annex a Punishment in some measure *correspondent* to the nature of the Offence that will be committed against that Law, cannot make such a Law; as if a Corporation under the King makes a Law to hang or burn in the hand for some Offence, which they have no power to do, then that is null. The *Major* is very plain. But the Church cannot *de facto*, or at least *de jure*, Execute such penalties as are *correspondent* to her Laws; for they being *Ecclesiastical* are of a *Spiritual* nature, belonging to the Worship of God: and therefore the Lawmaker will still have the first stroak of his Law *fall upon Conscience*, by binding it under *guilt*: where was ever any truely enlightned Conscience ever bound under *guilt* for transgressing a *mere Church-Law* in matters of Ceremony? *Secondly*, They cannot *de*

*Jure*

*Jure* annex and execute the *Penalties* of Exclusion from communion, as Christ never made a mere *Ceremony* the condition of communion, so he never threatned the Non-observation with *Non-communion*: Let any Precept or any Instance be given of this nature, that any suffer'd Church-censures under the *New-Testament*, for Non-observation of a Ceremonial Law. *Thirdly*, As for other Penalties, which we call *Secular*, as Whipping, Imprisoning, Fining, Confiscating, we know the Church hath nothing to do with them; they were never in the power of the Church, nor never will be.

§ 7. *Argum.* 5. That Law which *directly* and *unavoidably* hinders much good, and causeth much evil in the *obediential Subjection* thereto, ought not to be made by the Church; but to change religious Indifferencies in the worship of God, into Necessities, doth so: *Ergo*. The *Major* is undeniable; for though a good action may *per accidens* hinder some *other good*, and cause some *evil*, yet it doth not so directly, and in its true constituted nature; but *good* actions produce *good* effects, as *evil* actions *evil*. So the Tree is known by its Fruits. The *Minor*, that such a change works such ill effects is thus proved. 1. Because it hinders the most *expedient use* of an action left by Christ *indifferent*, to be determined by the Judgement of *Discretion*; whereas the *Expediency* by Christ's prescript, may lye in the contrary part of the action wherein a goodness is placed by the *Churches* Law, and an evil placed in that part of the action wherein there is a goodness by *Christ's*. So that the Churches Law cannot have universal Obedience yielded to it without sin, because when Christ's expediency falleth on the part contrary to the Law, it will be sin to obey the Church; *As for Example*, It's an indifferent thing which way we turn our Faces in the worship of God, East, West, North, or South; the Church makes a Law the Minister must turn his Face toward the East, in such a part of Worship, this hinders the expedient use of that *posture*. 1. It hinders from turning that way which is most for *Edification*, and causeth the Minister to turn his back to the people, which is very *unexpedient*. It may confirm a *Jew*, *Pagan*, or *Papist* in their Superstitious Observances, to observe us to do thus *de industriâ*, out of a strict observation, and therefore then *unexpedient*. 2. It *hinders much Good*, because it frustrates *Christs* Ends in the management of Religious and Ecclesiastical Affairs. For *Christ* manageth all those by *Necessities* and *Indifferencies*, in willing and requiring a necessary Obedience to his positive Laws, and *an indifferent use of indifferent things*, according to the Rules of

*Expediency*

*Expediency and Judgment of Discretion:* And this proceeding in Spiritual affairs, is that which is most conducing to the *Glory* of his Name, and the *Beauty* of his Church. How great a *presumption* is it in any Church to attempt the altering this course of Government, which Christ the Head hath *settled*, and frustrate his ends in Necessities and Indifferencies, by causing those things which he hath made *necessary* to become *indifferencies*, and what he hath made *indifferent* to be done *necessarily*; and hindring that conscientious, discreet, occasional use, which he hath determined and required, as most *conducing* to his own Glory, and the good of his Body the Church?

§ 8. Now whereas the *End of exercising this Juridical Power* (so much pleaded for in the late *Centuries* of the Church) is *Unity and Uniformity*; without doubt, this *principally* and *primarily* belongs to the *Catholick Church*, that the whole *visible Body* of Christ may be one and the same in Discipline and Ceremonies. For if it be so desirous, and to be maintain'd with such a great curiosity and exactness of Ceremony in *a particular Church*, how much rather ought it to be in the *Catholick*; *a Catholick Good* being much more desirable, and of far greater concernment than a *particular Good*? But as we have shewed, that there is no such *Catholick Power* in the *Catholick visible* Church practicable, so it's easie to make manifest, that *a Catholick Uniformity* in matters of Indifferency, will never be attained among *Churches*, or particular Christians; nor never was intended by the Lord Jesus Christ, any more than that all his Members should wear the *same Cloaths*, or dwell in the same shaped Houses; for had it been necessary that there should have been no *difference in indifferent things*, but all should have gone the same way in the use of them, and none varied according to the judgment of Discretion: then Christ would have made it *necessary*, and then indeed all those things would have been Necessities, and there would have been no Indifferencies at all; but we see that Christ designed it for the *Benefit and Edification of his Church*, that there should be Varieties in the use of Indifferencies; and so far from the disparagement of it, (as some men would have it) that it's as conducible to the Splendour and Beauty of *his Workmanship*, as the Variety of complexions and dispositions of Men to the old Creation. Now for men to place *the Uniformity* of the Church in those things that Christ never placed it in, is no *small reflection* on his Wisdome and Prerogative; for nothing carries more Evidence with it, than

that

that those things that he left *indifferent*, he intended neither *Conscience* or Church should be determined *ad unum* in, by any, in matters of Worship; but that they should be *varied* at the discretions of *particular Churches and Christians*, and that such variety should be of advantage to *Edification*, and not that it should be bespattered with the foul names of *Faction* and *Schism*, when such use their Liberty in this kinde.

§ 9. But suppose such a thing had any probability to be the minde of Christ: Was it ever *attained*, or is it *attainable*, that there should be *an Uniformity in the use of Indifferencies*, that *all Churches* and particular Christians had the same Sentiments, and went the same way in the use of indifferent things; or is it possible to bring men to it? Or if they were brought to it, what advantage would accrue? Would it not prove a great *disadvantage*? But some men plead, That some indifferent things should be made necessary, as the very *terms of Communion*, and in conformity unto these should consist *Uniformity*. To which *I answer*; 1. That this is but a *humane Project*. 2. That if Christ had approved such a way (he being the Author of Peace in his Church, and not of confusion) he would have allotted it, and told us what the Indifferencies should be, and who should have had *a deputation* to make them *Necessities and Conditions of Communion for Uniformity*. But 3*ly*. He hath appointed *Ordinances* enough of this nature, and chosen out those things himself wherein the Uniformity of his Church should *consist*, the *Word, Sacraments and Prayer*; and all Churches that do walk in these according to Gospel-Rules, are Uniform, have Ceremonies enough, and have no need of setting a new Mint on work.

§ 10. And suppose that such a thing were *attainable*, that there were an agreement in the whole Catholick Church about some little *External Ceremonies*, what they should be, and how used; Would this abundantly answer the nature and end of a right Uniformity in the Church? Would it cure *all Schisms*, or *prevent them*? Would it keep the mindes of men in a due *proportion* to each others? Would it maintain *Purity* of Doctrine and Worship, and expel all *Pollutions and Corruptions* in both? I say, Nothing less. For we see by dayly Experience, it doth not do this in those Churches where 'tis most *zealously pursued*: if we look but into the Church of *Rome*, and into *Protestant-Prelatick* Churches, we see what great Errors and Heresies in Doctrine, and Corruptions in Worship do abound, accompanied with *irreconcileable Differences*, and *irreparable Breaches*

of

of communion in the highest and weightiest matters wherein it is concerned, notwithstanding the common consent and agreement in the stress that they lay upon those small and trifling observances, and not on aberrations from sound Doctrine, or defection from purity in that Worship which Christ himself hath instituted, which are to be bewailed as the great Schisms in the Church, notwithstanding all External Conformities.

§ 11. But we must enquire out a better way of *setling Uniformity* in the Church, more agreeing to the mind of Christ, and *practicable* in the nature of it; and therefore zealously to be pursued by all that love the Name and Kingdom of Jesus Christ, and that is, That all Churches *walk by the same rule* of the revealed Will of Christ, and subject themselves to his Laws and Government, that they be *uniform* in all that he hath made necessary to be *believed* and *practised*, as in all things *necessary to Salvation*, and a *Christians edification* in matters of Communion, as in the word, Sacraments, Prayer, singing Psalms, &c. by all these, in worshipping God in the Spirit, and not to trouble and distract their walks, and interrupt their Worship, with the *New-fangled, Multifarious, Brain-sick Lawes* of Men, in instituted Worship, not placing Uniformity in a heap of *burthensome, nonsense Ceremonies*. For the Rule being one, and the Law-giver one, all the true Churches of Christ will agree in *substance*, submitting to one *King* and conforming to one *sort* of Laws: and though there may be some small differences in their Interpretation of those Laws determining things necessary, and the Exercise of discretion in things *Expedient*, because of dubious and difficult circumstances attending, yet all agree in the *main things* required by Christ, for the way of *Salvation*, and the main *conditions* of Communion. And it is not to be doubted, but that a Christian professing people, gathered together in the *Name of Christ*, injoying the Ministry of the *Word and Sacraments* in purity, are a Church of Christ, and uniform with all the Churches of Christ, without any distinction by this or that Name of *Singularity*, or any *Ceremonial Appendixes*.

§ 12. And whereas it is pretended, that a *full and free Conformity* in Ceremonies would be the only cure of all our *Differences* and *Divisions*; Let all Ages witness, if any will but impartially enquire what hath been the *Grand Cause* of all the *Factions, Breaches, Divisions* and *Schisms* in the Church, yea and *Ecclesiastical Persecutions* ever since the Primitive Times, it will be found to be the Usurpation of this aforesaid *Legislative Power* of Christ, by some or

other; and still all the excuse that is made for it is, that they assume this Power only in *matters of Indifferency*: and what pretence can any make to *a Legislative Power* in things *necessary* already determined by *Christ* to one part? there is no place for a Law in such things, unless it be to ratifie or to null the Law; so that what *Legislative Power* is exercised of this kinde, must be in *matters of Indifferency only*, *i. e.* which are so in relation to Christ's Law antecedently to man's Law; but by the supervening of such a Church-Law, it becomes in kinde Ecclesiastically necessary, it being enjoyn'd as to practice under *Penalties annexed*: and it's no new thing with some sort of men to call *necessary things indifferent*, and *indifferent necessary*; and thereby take occasion to justifie their presumptions, when they make Laws even *abrogatory* to the known Laws of Christ: And if weak Brethren (as they are apt in derision to call them) either take any just exceptions against them *pleading their Liberties*, or it may be from a mistaking judgment, are apt to call indifferent things necessary, and therefore out of tenderness of Conscience refuse to yield acts of Obedience; they are so far from having compassion on *their tenderness*, that they exact the said *Law-penalty with greater violence* and rigour, than they do any (that doth directly concern the Glory of *Christ*) established by himself.

§ 13. The greatest Plea that I know can be made for matters of this kinde, is the power that *Oecumenical Councils* have taken upon them, especially in the Primitive Times, even in the Apostle days, and in the first, second, and third Centuries of the *Church* especially. To which I answer; First, if the Foundation of this Authority be in *Oecumenical Councels*, let never any of these Church-Statutes be made and imposed on the world but by them; and let not every particular National Independent Church take upon her to make *Penal* Laws, and gull the World into a submission to her Authority, by her saying she is *The Church*; as if she were the *Catholick Church* and *Mother-Church*. Secondly, I question whether there were ever any true *Oecumenical Council* at all: much may be said against the best that is pleaded for since the Apostles days; and it is easie to prove that Assembly at *Jerusalem*, held by the Apostles and Brethren to be none, in the sence intended; which is, that the chief Officers and Representatives of every particular Church in the World meet together, with a *determinating Power in matters of Doctrine*, and with a binding *Legislative Power in matters of Discipline and Ceremony*. Now it will appear, that that Assembly was not so (though there were

more reason for its being so, than for any other Assembly being so) neither ever was there any Assembly so impowred in the world of that nature.

§ 14. That that Assembly *Acts* 15.28. was no *Oecumenical Council*, is easie to judge, for there were but the Representatives of two Churches, *Jerusalem* and *Antioch*; and they of *Antioch* came to ask counsel, and to be resolved in matter of doubt, of the *Apostles* residing most of them at present in *Jerusalem*. 2. The case in question was argued *in foro Ecclesiæ Jerusalemæ*, and the Apostles making the minde of *Christ* manifest to that Church, have the consent of the Brethren to their determination, and send it forth in, and with the Authority of the *Holy Ghost*. 3. The Apostles, and Church of *Jerusalem* changed no *Indifferences into Necessities*; but enquired after, and found out the Will of *Christ* concerning the present Infant-state of the Gospel-church, in some matter of things necessary of two sorts, some *Absolutely and Morally* to others *expediently* to for that time. *First*, Absolutely such, as Abstinence from Fornication and things offered to Idols. Secondly *Relatively* only, and that in the behalf of the believing Jews, coming lately from that Pedagogy, that they might not be *scandalized or grieved* at the freedom of the Gentiles; and therefore that the Gentiles should then abstain from things *strangled and blood*. Now no sound Interpreter will say, that this *Canon* was binding to the Church *semper & ubique*; but in behalf only of the Jews, who could not so easily at present be brought off from the whole of Judaisme, and as likely by this *concession* the Apostles got off the Jewish Believers from many *Ceremonious Observations* which they stood upon besides, or at least abated their edge towards them. And therefore the Decree was but as to *a necessary Expediency for a time*, which the Apostle *Paul* fully explicates, who was well acquainted with the Minde of *Christ*, and the Judgments of the Apostles, Elders and Brethren, in these matters.

§ 15. As we have little evidence for an *Oecumenical Council exercising a Legislative Jurisdiction in the Church*, so we have as little ground for such sorts of *Officers* as are contended for in the Church, of which such Councils (as they are pleaded for) should principally consist, which are *Patriarchs*, *Metropolitans*, *Archbishops*, *Bishops*, *Priests*, and there being not such Officers in the Church by *Christ*'s Institution, there is no such Power to be exercised in the said way and manner of *Legislation*, neither may they *jure* proceed to Laws

Execution of any Laws established by *Christ*, being not lawfully *commissionated* with a Gospel-power. If this Assertion be proved, I doubt not but it will be granted, that there is no Legislation to be exercised in the Church, the present Assertors whereof challenging this Power only on the behalf of the said Officers. I lay down two things by way of proof; 1. That there is no such Officers to be found (in the Gospel of our Lord and Saviour) as *a Pope, a Patriarch, a Metropolitan, an Archbishop, a Diocesan Bishop, a Parish-Priest*, no *Dean, Prebends, Canons*, &c. the Scriptures are altogether strangers to all those Ecclesiastical creatures; Christ and his Apostles knew nothing of them but prophetically in the foresight of the rise of the Kingdom of Antichrist. In this *Point* I should deal with two sorts of men, the *Papists* and the *Protestants*. As for the *Papists*, the case hath been fully managed over and over against them, that there is no such *Supreme Officer* in or over the *Catholick Church*, as the *Pope*; and if there be no such *Monarchical Substitute* of Jesus Christ here on Earth, it will appear that all the rest will fall to the ground. Therefore as to them I shall not *actum agere*; my principal part will be with the *Protestants*, that do assert such Officers in the Church, and yet deny the *Pope's Supremacy*. To whom I say in the second place, and anon shall prove, that there cannot be any such Officers (as above-mentioned) in the Church, without a *Supreme Pastor*; those Pastors being *Subordinate Pastors of Subordinate Churches*. And that this Question may be cleared to every *rational Protestant*, that is not fanatically blinded with *Pride, Ignorance and Interest*, I shall crave leave of my Reader, in a short Digression, to handle this Question, *Whether a Subordination of Pastors in the Church, doth not necessarily infer a Supreme Pastor.*

## CHAP. XIV.

### *A Digression concerning the Subordination of Pastors.*

§ 1. AMong the many Difficulties and inevitable Rocks that the *Protestant Prelacy* is necessitated upon, (by casting off the *Headship of the Oecumenical Pastor*) not only in asserting, but exerting their *Episcopal Jurisdiction*, or Pastoral Power, in the Legislation

giſlation and Execution Eccleſiaſtical pretended unto; I thought it not amiſs to debate one *main Queſtion*, wherein ſome part of the greateſt ſtreſs of difficulty in that kinde doth conſiſt; and that is this;

*Whether the aſſerting the Subordination of Paſtors in the Church, doth not by all good conſequence infer the Supremacy of an Oecumenical, or Univerſal Paſtor?* We underſtand the word *Church* here, as before explained, *i. e.* when we ſay (*The Church*) by way of *eminency*, we underſtand not (or ſhould not at leaſt) any *Individual*, *Parochial*, *Dioceſan*, *Provincial*, *National*, *Congregational*, or *Claſſical Church*, but the *Univerſal Church* comprehenſive of all theſe, and enfolding them, as the outmoſt skin of an Onion involves all the other ſubordinately one within another. By an *Oecumenical Paſtor* is meant a Paſtor of the higheſt degree here on Earth, related in his Paſtoral charge to the whole viſible Church, by whatſoever Names, Titles, or Dignities he is known, and is a Biſhop in the *higheſt preheminence* of Eccleſiaſtical Rule and Juriſdiction here on Earth, from whom there can be *no Appeal* to any *Earthly Biſhop*, or *Governour*; and this is the *Militant Paſtor* of the Church Catholick Militant; to which (according to their ſuppoſition of *Subordinated Paſtors*) all the other Degrees and Orders muſt be ſubjected. By [*Subordination*] is meant the ſubſtituting or ſubjecting one under another; *the terms* of which is the *Supreme*, *Higheſt*, *and moſt Univerſal* on one ſide, and the *moſt particular Prieſt or Paſtor* on the other. The Queſtion being ſtated, and the Terms explained, the Truth will by neceſſary Conſequence appear on the Affirmative part, that *Subordination of Paſtors in the Church doth neceſſarily infer the Supremacy of an Oecumenical Paſtor or Biſhop*. And I prove it thus;

§ 2. There is the ſame *Political Reaſon* for an *Univerſal Paſtor*, or Supreme Head on Earth over all other Paſtors and Churches, that there is for any Subordinate Paſtor that hath other Paſtors ſubjected unto him. Inſtance in a *Dioceſan Biſhop*, ruling his Pariſh-prieſts, or Parochial Paſtors (if they may be allowed any higher title than the Biſhops Curates) the chief end of the ſaid Biſhop, being Juriſdiction, Determination of Eccleſiaſtical Cauſes, Regulation and Ordination of his Clergy, Unity, Order, Uniformity, &c. By the ſame *political Reaſon*, though in a *higher Sphere* of Government, is an *Archbiſhop*, or *Provincial Paſtor*, required for regulation of Biſhops of Dioceſſes committed to his charge, maintaining the Unity of the

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*Provincial Church*, *Order* and *Uniformity* therein, that every weak giddy-headed Bishop may not govern after the fashion of his own brain, but that every one should be (notwithstanding all their *Lordlike Grandeur*) accountable to the Archbishop, for any male-administration of Government, or neglect of charge committed to their care. The reason holds good in like sort for a *National Pastor*, the *Metropolitan*, *Primate*, or *Patriarch*, that the whole National Church consisting of Provinces, divided into Dioceses, and they into parishes, be maintained *United* in Worship and Order under one *National Ecclesiastical Head* and Governour; to whom the supreme Administration of Pastoral Function in the Church National should belong, as to oversee nextly and more *immediately* the *Provincial Pastors* and *Churches*, and more remotely, all other Pastors and Churches in the Nation, that there be no Divisions, Schisms, Heresies, Contempts, disorderly Conversation, irregular proceedings among Pastors and People, but an harmonious concatenation from the highest to the lowest, to whom and his Commission-courts all Appeals from inferiour Provincials and Diocesans may be made. The Subordination of Pastors thus far allowed and granted, an Universal Pastor must be inferred by unavoidable consequence. For as yet there is the like necessity of uniting National Churches, in one Universal Church under one *Catholick Pastor*, as was for uniting Provincial Churches in a Nation, and subjecting them to a *National Pastor* or *Primate*, or subjecting Dioceses and their respective Bishops to an *Archbishop*, or *Provincial Pastor*, & *sic deinceps*. For by how much the more *universal* the Church is, by so much the more *universal* the Pastoral Charge and Jurisdiction must be. And as the *National* is to the *Universal Visible Church*, so the *National Pastor* to the *Catholick Pastor*, by a Mathematical Proportion. And the like ground of relation as is betwixt a *National Pastor* and a *National Church*, consisting nextly of Provinces, is also betwixt an *Oecumenical Pastor* and *an Oecumenical Church* consisting nextly of Nations. And if Unity, Uniformity, and regular Administration of Church-Government be indispensably necessary in a *National Church*, and the care of these things to be committed primarily and principally to a National Pastor; how much more is it necessary in the *Catholick Church*, constituted and made up of *National Churches* united, the care of which to be committed to an *Oecumenical Pastor*? And if the *Schisme* of a Province or Diocess be of so dangerous consequence, to a *National Church*; of how much more dangerous will

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the Schisme of a *National* from the Catholick Church be?

3 ly *Secondly*, I prove that they that maintain the Government of the Church by *Bishops, Archbishops and Primates*, must also own an Universal Visible Pastor, from the nature of the *Catholick Visible Church*. 1. It must be either an *organized or unorganized* Body, and made up of *parts, similares only*; the latter will not be owned by such Assertors, by reason of the great Absurdities tending to Separation and Pharisaicisme, that must necessarily be inferred on such a concession. If they say, it is an *Organized Body*, which is most suitable to the *Grandeur and Splendour of Mother Church*, that she should be made up of the most *curious texture*, and the most *proportionate adaptation of parts*; it is by no means to be supposed, that a visible Body, eminent in all other parts, should be *Corpus vivum animatum*, and *yet want a Visible Head*; an *Invisible Headship* to a visible, organized, living Body, cannot be in this sence allowed, nor a Secular Headship to this Spiritual Body. But more of this anon. Again, The *Catholick Church* must be such, either *quatenus Integrum*, or *quatenus Genus*; it cannot have any other true *Logical* consideration, though to adapt words to some novel apprehensions, we speak of *totum aggregatum*, & *totum comprehensivum*, both of which are reducible to the other Terms. I shall prove that both these acceptations of a Catholick Church do of necessity enforce an Universal Visible Pastor. 1. *As Catholicum integrum*, and *quatenus tale*, is to be considered as divisible, or divided into parts, and according to that Notion of *Subordination*, the greater parts into the next lesser, and them into lesser or least of all; wherefore the Catholick Visible Church is divided into *National Churches*, as the next and greatest constituting parts; *National* into *Provincials*, *Provincial* into *Diocesan*, and they into *Parochial*; if there be *a Subordination of Pastors* in the Church, it's according to the subordination of the *integral parts* of the said Church. For in Division and Subdivision of parts, there must be *a continuance*, till we come to *minimum quod sic* on the descending part, and *maximum quod sic* in the ascending part. But there can be no such Subordination of Pastors, according to the *Subordination of Membra totius*, without an *Universal Pastor*; *Ergo*. For as there is the same Reason of the *Catholick* to the *National Church*, (*respectu sui rei integralis*) which is of the *National* to the *Provincial*, and thence downward. So there is the same reason for an *Oecumenical Pastor* to the *National*, as of the *National* to the *Provincial*, or that to the *Diocesan Pastor*. As the *National* is the *totum*

in respect of the Provinces, and as such hath a *Pastor*; so it is but an Integral part in respect of the *Catholick Church*, which by the same reason is to have a Pastor, else this *concatenation* by Subordination will be headless and visibly deficient in the *guilty* of its *Uniform Constitution*, for pretended establishment of Unifformity. Now if they plead that the Catholick Church is but *totum aggregatum*, *Ergo* National Churches are *coordinate*, hence *individual*, thenceforward for their defence they must plead for *Independency*, and it will be *contident* with the notion of *Congregational Churches*. But how inconsistent these Principles are, to deny a *Subordination* of National Churches and Pastors to a Catholick Church and Pastor, when they allow and maintain a Subordination of Churches and Pastors within the National, and utterly disown an Independency of Pastors of *particular Congregations* on superiour Pastors and Churches.

If the *Catholick Church* be understood to be *Genus Generalissimum* divisible into *Species*, the same Inference will accrue; for the *Subordination* stands thus; the *National* is *subalternum Genus*, the Provincial *subalterna Species*, the Diocesan *Species specialissima* (according to some *Logicks*) but *Species specialior* (according to others,) and Parochial Churches *Species specialissima*; after this consideration the Argument stands thus: If a Pastor is to be set over a Church *subalterni Generis*, because it comprehends Churches under it as *Species*, by the same reason a Pastor is to be set over the *Catholick* comprehending also its *Species*, *viz.* National Churches. For though the National Church be related to the provincial as *Genus*, it is related to the Catholick as *Species*. But because according to the best Logical and Theological Notions, the application of *Genus* doth not well suit to the nature of the Catholick Church, it being more properly a *totum Integrale*, I stay not on this part of the Argument.

§ 4. *Argum.* 3. I Argue from the nature of *Subordination*, which always supposeth a *Supremum* and *Infimum*; a *Supreme* higher than which is none, and a *Lowest* lower than which is *none*; otherwise it would be unlimited. And if in the Church there be a Subordination of Pastors, then as there is a *Lowest*, viz. *a Parish-Priest*, so there must be also *a Supreme Pastor* for the highest Round of the Ladder, viz. *an Oecumenical Pastor*; For, as every *Subordination* is to be continued to a *ne plus ultra*, so Subordination of *Pastors* must be continued to the largest acceptation of a Church on Earth, for the maintaining Unity and Uniformity of the *National* Churches, which are next in constitution to the *Catholick*. If it be said, that *Christ*

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is the onely Pastor of the *universal Church*; It will be granted that he is Pastor of the Church in the most *Catholick acceptation*, as it comprehends the Church *visible and invisible*; but for the *visible Church*, he leaves it perfect, as to parts, with a *visible Head*, as well as other parts visible: for it must be *ejusdem naturæ cum cæteris membris*, and how can visible *Uniformity* be attained in the Catholick Church, but by a government of a *visible Pastor*, who visibly rules all Churches, and in whom they are all *politically* knit together, as in a *Central* or rather *Circumferential Knot*? Besides, if a *National Pastor* be Supream among Pastors, next under Christ, then it follows that this Subordination terminates at least in a *co-ordination of Pastors*; and if so, it's because there is a *co-ordination of Churches*: and if one sort of Churches, and Pastors of particular Churches, are *co-ordinate* next under Christ the *Head*, why *are not all*? And why may not a *Schismatical Provincial or Diocesan* use the like plea to throw off the jurisdiction of the *National*; or why may not particular Parochial Assemblies and their Pastors, argue on the same grounds their *Co-ordination* and freedom from *subordination* to any Pastor besides Christ alone? So that this *National Co-ordination* of Pastors, in the highest Ecclesiastical Supremacy, is the making a hundred Popes instead of one, and laying the foundation of *Independency* unavoidably to all judicious understandings. The sum of this whole Argument is, That there can be no plausible reason given why the *Subordination of visible Pastors* should not extend as far as *visible Churches*; and if Christ hath set *Orb within Orb*, Church within Church, & every one its Planet to rule it for the maintaining Order, Uniformity, *&c.* why should the *Supream Planetary Orb be without a Planet*?

§ 5. *Arg.* 4. The necessity of this inference is further proved from the *derivation or original of Pastoral power*: every Pastor receives his *Pastoral power* from Christ, *mediately* or *immediately*. If Subordinate Pastors, they receive their power *mediately*; then *mediante populo vel Superiori quodam*. The Assertors of Prelacy will never grant a derivation of power from Christ *mediante populo*; for that were to fall into the *Congregational way*. If they say they receive their power through the hands of *some Superiours*, it must be by some *Ecclesiastical* or *Civil Officers*; if by some *Ecclesiastical*, then thorow some *Pastor* or *Pastors*, and they either *co-ordinate*, or of some *superiour* Rank and Dignity. They will not say they receive their power from *co-ordinate* Pastors; for that were to fall on the Rock of *Presbytery*: there-

fore they must say, and do say, That every ordinary *Protestant Priest* receives his power from Christ, thorough the hands of some *superiour Pastor* not *co-ordinate*; and then we must needs finde out the derivation of that superiour power from one above him in *Order* and *Dignity*, and at last must needs arrive at *Peter's* Chair and his Successors, who first received this power from Christ, and so it's handed down through his respective *subordinate* Officers, to those of the lowest rank and degree. For if the *Parish-Priest* receive his Office from the *Diocesan*, then he from the *Provincial*, and he from the *Primate*, and he from the *Oecumenical*. If they the *Primates* receive their power mediately by the hands of some others besides the Oecumenical Pastor, it must be from the *co-ordinate* power of some National Pastor or Pastors; and consequently it will infer a *Presbytery* of Primates, which may prove of as ill and more dangerous *Aspect* on the Church Catholick, than the *Presbyterian* Assembly on the Church National; or it must be that he receive his Dignity from the Suffrage of his inferiour Clergy. Then it follows, that a *Metropolitan* is invested with power in a meaner and more despicable way than a *Diocesan* or *Parish-Priest*.

§ 6. To avoid splitting on the *Romish Church*, they finde another way of deriving their power from Christ; and that is, by the *Civil Magistrate*, without the Church, as it is practically at least granted. To which I say, That although he is or may be a Member of the Church, yet *quatenus a Magistrate* he is a Member of another State, and therefore in an Office *extrinsecal* to the Church; and hence cannot extend *Ecclesiastical Jurisdiction* to the Church, nor invest an Officer in the Church (which is Christ's dominion) with Office, Power Legislative or Executive; the Civil and Ecclesiastical States being distinct from each other, as they are such. Moreover, for an Officer in Christ's State to derive his power from Earthly *Potentates*, is to subject the *Kingdom of Christ*, as such, to the *Kingdoms of men*, and make it *subordinate* thereto in those things which Christ hath reserved to himself as *his Prerogative*. Again, if Church-Officers, as such, must be invested with power from *Secular Princes*, the Church must stand or fall, as to its right and orderly manner of Government, at the will and disposition of Princes: Whence *Christs Oeconomy* will seem not compleat in it self, but lame, deficient, and headless, in that it must be beholding to an *Exotick Power* for its principal Officers and Rulers; and Christ was wanting in not providing for the due governance of his Church under heathenish or

heretical Magistrates; yea, such Magistrates would undoubtedly establish Church-Officers *ejusdem farinæ with themselves*: And besides, it would follow, that the *Primitive Churches*, after our Saviour's ascention, could have no due derivation of Church-power unto it for some Ages, for want of Christian Magistrates, the grand *Mediums* of Conveyance. There is also as much reason that *Civil Officers* should be at the disposition of the *Church*, as that *Church-Officers* should be at the disposition of the *State*: And the *Oecumenical Bishop* may upon as good grounds claim a power of enthroning Emperors, as the other claim an Ecclesiastical power of setting a *Head* over the Church, Christ having made *Church and State Co-ordinate*. Lastly, if *Ecclesiastical Officers* derive their power from *Civil Authority*, as their visible Church-head, sure the Vitals and the whole Animation must needs be *Secular*; much like the Beast spoken of, *Rev.* 13. 4.

§ 7. *Arg.* 5. I argue from the *chief ends* of Subordination of Pastors in the Church. It's to redress *Heresie*, or *male Administration* of discipline, that there may be place for *Appeals*, in case of Injustice, determination of Controversies, *&c.* Now what end would there be of *Appeals*, if there should not be some *Pastor* supream to all the rest, from whom there could be no *Appeal*? And it's necessary there be still room for *Appeal*, till a man comes to the Church in its greatest *Unity* and *Superiority*; and there is *Mother-Church* in her *Grandeur*, *Ecclesia in Cathedrâ*: if the resort be made for Appeal, or resolution of difficult cases to the Church in her *Pastoral multiplicity*, there will be such variety of Judgments and Interests, that there will be no final determination, but ye may hear the *Catholick* body speaking one thing in its *Catholick Pastor* and *Head*: for if you will know a mans minde and determination of any thing, you will go to the Head, not to the Arms or Legs; and what you have by *Signes* from them, you know is by the influence of the Head. So if we will know the minde of the *Church* in its ultimate Results and Determination, you must not go to a *Diocesan*, *Primate*, &c. of *France*, &c. *England*, &c. where you will have but a partial or weak resolution, not having a *Catholick Interest*, *Intilligence*, *Influence*, and *Concernment*; but we must go to the Body, speaking in the Head, who hath a *common Concern* and *Fellow-feeling* with the least Finger or Toe complaining or appealing to it.

§ 8. Hence see the reason why the attribute of *Infallibility* is ascribed to the Church, thus speaking in its *Head* or *Supream Pastor*. 1. Because of his universal Relation and Interest; and therefore

ſpeaks infallibly the ſenſe of the whole, or of any particular part; as the Head feels and cannot be deceived in declaring the pain of the Toe, and can moſt *infallibly*, of all the members, preſcribe a Remedy. 2. It's moſt probable that he that hath his authority by *immediate conveyance* from Jeſus Chriſt, ſhould have alſo the moſt *immediate diſcovery* of his Minde and Will: ſo that the infallibility of an Oecumenical Paſtor is founded on the Principles of *Epiſcopal government*, *viz.* ſubordination of Paſtors in the Church; for if in all our Appeals from Paſtor to Paſtor, from Church to Church, for determination in matters of controverſie, and reſolution in points of weight and difficulty, we do at laſt arrive at as fallible a Church and Paſtor as at firſt, to what purpoſe is all our Appeals? And if it be granted that a Biſhop is leſs *fallible* than a Pariſh-Prieſt, and an Archbiſhop leſs *fallible* than a Biſhop, and a Primate than an Archbiſhop, then upon this account onely it muſt be that he hath a greater ſhare by his place in the common intereſt of the Body, by the *comprehenſiveneſs* of his power and relation, and being farther removed by his dignity from *particular ſmall intereſts* and *private paſſions*; and therefore more likely to be more impartial, univerſal, and leſs fallible in his judgment, than other his inferiour and more limited Paſtors: And *Ergo*, upon the ſame reaſon it will follow, that an Oecumenical Biſhop *is leaſt of all fallible*; not but that St. *Peter* and his Succeſſors may err, and have, but that as Supream Head in the moſt *Catholick capacity*, he is (*comparatively* to all other Paſtors ſubordinate) *infallible*. And it is the greateſt reaſon, that he that hath the greateſt *Charge*, ſhould have the *beſt underſtanding* to know how to manage it: And to what purpoſe is it for us to ſeek after further light by going to thoſe that the Church hath further entruſted, if they be not *holier*, *wiſer*, and *juſter* men than our ſelves; yea, than all their inferiour Officers? And what is it we aim at moſt in ſuch Enquiries? is it *Fallibility*, or *Infallibility*? Would any one in his beſt wits be deceived? and would the Church deceive any, but uſe the beſt ways and means for enlightning mens Underſtandings, and reducing them from darkneſs and errour?

§ 9. *Arg.* 6. I argue from the nature of the Church, in which this *Subordination* is required. That Church muſt be underſtood to be the *univerſal viſible Church*, and not any *particular Church*. 1. From the uſual acceptation of Church in the like ſence, when we ſay, *The Church*, with an Emphaſis. 2. There is no more reaſon the Church ſhould be underſtood of one kind of particular Church

Church more than another; a Provincial Church or Diocesan may be called *the Church*, by way of eminency, as well as the National: and if there be more reason because the National is comprehensive of them, then much more that the *Catholick* should be understood by it, because it *comprehends Nationals*, and is most comprehensive of all Churches on Earth. So that it will unavoidably follow, that if there be a Subordination of Pastors in the Church, it is in *the Catholick Church*; and the more large the Church is, the more *extensive* is the power of the Pastor: and the most *comprehensive Church* hath a supream Pastor to the Pastors of all other *Churches subordinate* to it.

*Obj.* But the universal Church Visible, is not *Organical*; and therefore not capable of an *Oecumenical Pastor*. *Answ.* It *is Organical*; for it's made up (according to our present Phainomena of a Church) of visible, *organized or organical* parts comprehending each other; and therefore must needs have a visible organical Head, *principium sensus & motus*, animating all the parts in their respective Subordinations and Relations. It's absurd to say, that the hand organized with fingers and joynts, the feet with toes and all its parts, and so of the other members, that these united in one body make not up an *organized body*, and have not one *Head* common to the *totum*, to communicate respective vigor to each of these members. So to say that in the Church there is National Churches *organized*, &c. so Provincial, &c. Diocesan *organized*, and not that the universal Church visible is *organized* with, and *influenced by a visible Head*, is most absurd. Again, there is the same and greater reason upon the forementioned grounds, for the *Organization* of the *Catholick Church*, than for the *organizing of a National*, *Provincial*, or of any of the inferiour *Subordinate Churches*: for if Order, and Uniformity, and due administration of Government cannot be maintained in one, but by *Organization*, how can they by any other means be obtained in the other? And if Order, Uniformity, &c. be not onely comely and beautiful, but most necessary to the well-being of a *National Church*, and that the more, because it is so *comprehensive* of other Churches subordinated to it, how much more requisite is it to the *well-being of the Catholick Church*, which *comprehends* National and all others?

§ 10. *Arg.* 7. That this *Catholick Headship* is inseparable from a Co-ordination of Pastors in the Church, may be evinced from these following Necessities. 1. *A necessity of a Catholick judgment of Schism.*

2. *Of*

2. *Of a Catholick interpretation of Scripture, it being not of private interpretation.* 3. *Of a Catholick determination of Decencies and Order.* 4. *A Catholick compoſure of the Prayers of the Church.* 5. *A Catholick Canonization of Saints.* 6. *A Catholick convention or call of Oecumenical Councils.*

§ 11. The firſt *Neceſſity* is for a *Catholick judgment of Schiſm:* for if it be not determined by a *Catholick judgment*, theſe abſurdities will follow: 1. National Churches may be *Schiſmatical*, and no competent judge of them, it being not fit that one National Church ſhould judge another, they being *co-ordinate*, equally concerned, of equal authority, latitude, and fallibility: Neither may a *Provincial* be judge of National Schiſm, they being *ſubordinate* to the National, and included in it; for they are bound up in the determination of the National, and is accountable to it: and if it declares againſt the National, as guilty of *Schiſm*, and upon that account ſeparates from it, ſhe ſhall be judged as *Schiſmatical* from the National; and ſo *Schiſm* will be committed on *Schiſm*, and none healed. 2. If there be no Catholick *determination* of *Schiſm*, there can be no Catholick *puniſhment* of *Schiſm* from the Catholick Church; for the puniſhment muſt be preceded by a Law-determination. And hence, if a National Church be Schiſmatical from the Catholick, it cannot receive any Catholick puniſhment; and it will follow, that ſuch a ſin may be committed in the Church, on which ſhe is not capable to inflict a *puniſhment* in any meaſure proportionate to it. 3. If a *National Church* hath power to judge of the *Schiſm of a Provincial Church*, and a *Provincial Church of the Schiſm of a Dioceſan*, and a Dioceſan *of the Schiſm of a Parochial*, then by *the ſame reaſon may the Catholick Church judge of the Schiſm of a National Church*; otherwiſe Schiſms will be equally multiplied with National Churches, and no redreſs to be made of them. 4. If there be not a *Catholick determination of Schiſm*, all Churches will not be agreed about *Schiſm*: ſo that whilſt there is a perpetual controverſie in the Church what *Schiſm is*, and *what is not*, Schiſm perpetually remains, and falſe judgment ſtill paſſed upon ſome Churches: theſe calling that a *Schiſmatical Church*, which is not ſo; others owning another Church as not *Schiſmatical*, which is *really ſo*. All which tends to a neceſſary and unavoidable confuſion, for want of a Catholick determination; whereas if it may determine by its *viſible Head*, all theſe Controverſies would be ended: for if the members of the Body complain one of another, the *whole Body* muſt determine the matter by the *Head*,

where there is a concurrence of all parts for the good of the whole.

§ 12. Secondly. From the neceſſity of a Catholick determination of *dubious places of Scripture.* This can be done by none but the Church Catholick on Earth: (for no *Scripture being of private interpretation*, where ſhall ſuch an interpretation be found that is not *private*,) but in ſuch as is of the Catholick Church, where the concurrent judgment and faith of all Churches may be heard? 2 *Pet.* 1. 20. the word is ἰδίας ἐπιλύσεως, of *private Solution*, i. e. not of particular perſons, or Churches private Solution, but ſuch as is univerſal and commonly received by all Churches and Chriſtians, according to the analogy of faith. Now where can this be found and reſted in as Catholick, unleſs it be in the *viſible univerſal Head?* and if it be ſaid that a *National Church* may poſitively determine in this kind, then why not a *Provincial* as well, the one being a *ſubordinate* Church as well as the other? But if the Decree be onely National, as many *various* interpretations and ſences may be put on a place of Scripture, as there are Nations; which will lay an ample foundation for variety of *Sects*, *Schiſms*, *Hereſies*, &c. Whereas if all National Churches were bound to one *Catholick determination*, there muſt needs therehence enſue the admirable effect of Uniformity in *Doctrine and Practice*; all Churches believing as the *Univerſal Church believes*, and that as the *Head doth*. Beſides, if it be of ſuch dangerous conſequence for Chriſtians, as private perſons, to put their interpretation on Scripture, in laying the foundation of variety of Sects, Schiſms, Hereſies, &c. how much more dangerous for particular Churches, becauſe the determination of a *Church* reacheth further, and is more attended unto, and more become *ſeduced* and *leavened* with errour thereby, if it be erroneous? Hence, to believe as the *Catholick Church believes*, hath more concern in it than thoſe imagine, that endeavour to blaſt it with the ridicle of the *Colliers Faith*; for it's not as the *National Church believes*, but as the *Catholick Church* believes: Neither is it an *implicit Faith* in any things but controverſal and dubious matters, above *ordinary ſcrutiny* and *vulgar capacity*; and therein we had better reſt ſatisfied in *Catholick Authority*, than run the risk of adhering to the Opinion of private perſons and Churches; which muſt be done alſo by an *implicite Faith*: and who is likely to have the moſt unerring Spirit, a Church or particular Perſon? and if a Church, the moſt Catholick is the moſt unerring.

§ 13. *Thirdly.* From the Neceſſity of a Catholick determination of *Decency and Order.* That is *decent*, which by the Univerſality is reputed

reputed and judged so; for one Countrey doth usually call that decent, which others repute undecent. And there are no Protestant Prelates but have, do, and will say, That Christ hath left it to the Church to determine all *matters of Decency and Order*, and 'tis absurd to say, that this or that Church may do it, when no such is *the Church* eminently. When 'tis said, the Church determines Decencies, What Church is that? *Is it a Parish-Church?* Nay then Parish-Churches should rule *Diocesan* by a Law. Again, if *Diocesan* Churches should have power to determine their *Decencies*, either *Provincials* must be subject to some one *Diocesan*, which might regulate *all the rest*, or else *Diocesan Churches* would differ so much in their *decencies*, that there would be no Uniformity in the *Provincial Church*. And if *Provincials* might determine each one its *Decencies and Order*, it must needs break *Uniformity* in National Churches. But I know where the Protestant *Prelate* will be; he will say presently, it's the *National Church* that he means, when he speaks of the Churches determination of *Decency and Order*. To which I reply, that he may with as good ground say, that he means *a Parish-Church*; and that by giving this power to *a National Church*, he gives a greater advantage to *Schism*, and lays a greater bar against *Uniformity*: For the more *comprehensive* the Church is, in which the *Schism* is, the greater it is; and the more *uniform* the Schismatical Church is, of the more dangerous consequence it is to the Catholick Church. In vain do men plead for *Uniformity* in the Church, who in asserting the principles of *Uniformity* in a National Church, do thereby *extirpate Uniformity* in the Catholick; for *National Uniformity* unless it be *Catholick*, is but *Uniformity in a Schism*. For if every National Church may determine of *Decency and Order*, there will be as great a *diversity*, if not *contrariety*, in several Churches affairs, as in the affairs of several States, one Nation determining that Ceremony to be *decent*, which another determines to be *undecent*, absurd, and disorderly; and so Churches will be as divers in their *Fashions*, as *English*, *Dutch*, *Spaniard*, &c. And there will be no end of *Ceremonies* and new-fangled Garbs in the Church, if a Nation may of themselves, and when they will, constitute, ordain, and appoint them at their pleasure, alter and null old Ceremonies, and invent new; and shall have as great difficulty, intricacy, and multiplicity of Church-Laws, as State-Laws, if at every Convocation Decency, and Order may be determined.

§ 14. From the necessity of *a Catholick composure of Church-Prayers:*

the

the more private and ſingular the conception of Church-prayers are, the more *Schiſmatical*: And divers *Liturgies* in one and the ſame National Church may not be allowed, neither that every *Province and Dioceſs* compoſe their own Liturgy, as being a matter of dangerous conſequence to the National Church. How then comes it to paſs, that our National Church may compoſe its own *Liturgy* diſtinct from another; Is not this of as dangerous conſequence to the *Catholick Church?* And is't not more conducing to the Peace, Beauty, Uniformity and Honour of the Church, to have a *Catholick Liturgy?* Whereas otherwiſe every Nation will be ſetting up the price of their own prayers above others; whence ariſeth heart-burning, Diviſions, and Schiſms National, in the *Catholick Church:* were it not much better that all Nations ſhould bring their *Liturgies*, and lay them down at the feet of *Mother-Church*, and ſubmit them to her Judgment in the *Supreme Head*, from whoſe bleſſed hands ſhe may receive one of ſuch *Catholick compoſure*, that might produce a perfect Harmony in the affections and petitions of all the Churches in the world, in good aſſurance of a *Catholick Amen* attending the concluſion of all? Beſides, if a National prayer be more available than a Provincial or Dioceſan, Why ſhould not a Catholick Church-prayer be moſt of all available?

§ 15. *Fifthly.* The neceſſity of a Catholick *Canonization of Saints.* For ſuppoſing the Neceſſity of the *Obſervation of Saints days*, (as the Proteſtant Prelates zealouſly aſſert) it is requiſite to enquire, who or what Church *Canonized* the Saints which are already honoured with *Saintſhip Titular*, and *Days* devoted to their remembrance; and who dedicated and conſecrated Churches on the ſame account, was it not the Catholick Church, by her *Catholick Paſtors?* If every Church (ſuppoſe National) ſhould have the like liberty to *canonize Saints* at their pleaſure, all the days in the Year, yea in an Age, would be little enough for *All Hollan-tide*; And if the obſervation muſt be *Anniverſary*, there would be a neceſſity of robbing *Peter to pay Paul*, which would be *doing evil, that good may come of it*; it being as great a ſin to rob *Peter* of his *fiſhing-nets*, as to rob *Paul* of his *cloak and parchments.* Beſides, this Abſurdity would fall in, that one Nation would *canonize* that for a Saint, which another would *anathematize* to the Devil; As for Example, *Michaelmas*-day is devoted to St. *Michael the Archangel*, which Feaſt was inſtituted by *Felix the Third*, the 48th *Oecumenical* Biſhop. Now the Church of *England* hath preſumed to alter this Title and Inſtitution, making it a Feſtival

to St. *Michael and all Angels*; which hath these gross Absurdities in it. 1. That St. *Michael* is greatly detracted from, in that all other *Angels* are introduced as sharers in the Solemnity of the day; and *all Angels* may be understood of Bad, as well as Good, so that the *Devils* hereby become *Canonized* Saints. Now whereas it may be alledged, that there be some Saints-days not of *Catholick Observation*, but only *National*, as St. *Denis* for *France*, St. *George* for *England*, St. *Taffy* or *Wales*, and St. *Patrick* for *Ireland*, it bears no weight against us; for the *Canonization is Catholick*, and questionless the *Observation* ought to be so also: though there is a more *peculiar* and more *proper Remembrance and Honour* due from those Nations, to which the Saints are *appropriate*; which *peculiar Homage* is enjoyn'd by the Church catholick. Moreover, it is meet that so solemn a matter should be ratified by *Catholick Authority*, as the canonizing a Saint, and instituting a Festival day to be sacred to his Remembrance; because the *Catholick Church*, as she will be most impartial and wise in such appointments, so her Authority will make deeper *impressions* on the minds of men, to oblige them to the conscientious observance: whereas particular Nations are liable to *Errour and Partiality*, each one being apt to be byassed by proper Interests, and to prefer the products of their own Soyl. Besides the *gross Schism* that it causeth in the Catholick Church, dividing the Churches in their Prayers at the same time, when one Nation shall observe that day to one Saint, and another to another, and a third to none at all. Whereas nothing is more honourable and necessary than *Uniformity* in this kinde, That as all say the same Prayers, they should do it at the same Hours *canonically* appointed, use the same Ceremonies, observe the same *Holidays*; and such as are *Anniversary* should at least be of Catholick Appointment: And though some Saint-days are more *appropriate* to one Nation than to another, by reason of the relation of this or that Saint to this or that Nation in particular, by Nativity, by *Heroick Actions*, or *Meritorious Sufferings* therein, yet is it not meet that *all* Churches should rejoyce and keep Holy-day with *one* that rejoyceth? If the Rule of rejoycing with them that rejoyce reach particular Christians, then much more Churches. And how can an *Englishman* but be mightily ravished with an *holy Sympathy*, to see *a Welshman* (zealously affected with the *honour* of St. *Taffy*) strutting up and down with a green *feather* in his Cap? can he forbear the plucking up all the Leeks in his Garden, and calling all the Fidlers in the Town about him? And is it not fit, that St.

*Thomas*

*Thomas à Becket*'s day ſhould be honourably obſerved by all other Churches, as well as *England*, who engaged in and ſuffered for the common *Catholick Cauſe* oppoſed in this Church? If the Devoted day be peculiar to a Nation, as *an Anniverſary Memorial* of ſome great Deliverance ſuppoſed, it's fit it ſhould have its *Sanction* from the Catholick Church; otherwiſe National Churches may run into abſurd and *Schiſmatical* Obſervation of days, under ſuch pretences, to the great Scandal and Injury of the Catholick Church; as for inſtance, the Fifth of *November*, a day Annually obſerved by a National Church, to the great Scandal and Blemiſh of the *Catholick Church* and *Oecumenical Paſtor*, in the ſence of the *Romaniſts*.

§ 16. But ſome I hear will be ready to ſay, in order to theſe neceſſary eſtabliſhments, there will be no need of *a Catholick Paſtor*, they may be done well enough by *Oecumenical Councils*. To which I reply, That then the Church acteth not as a *Body Politick ſubordinately* knit together, but as *totum aggregatum*, or as an Aſſembly of *Independent Paſtors* by way of *Aſſociation*; whence many Abſurdities will follow. 1. That all the convened Paſtors, of what Order or Degree ſoever, are co-ordinate at leaſt in the *power pleaded for*, and a Primate or Patriarch's Vote is no more than a Dioceſan's. 2. That the Church, in the utmoſt reſolution of its power, is but *Ariſtocratical*, which undermines Epiſcopal Principles. 3. If becauſe matters of greateſt concern in the Catholick Church are managed by an *Oecumenical Council*, therefore there needs no Oecumenical Paſtor; then by the ſame reaſon, all matters of the greateſt concern in a National Church, being handled in a *National Synod*, there ſhould be no need or uſe of a *Primate*; and *ſic deinceps* to Provinces and Dioceſſes, and ſo all Church-power would conſequently become co-ordinate in the hands of particular Paſtors. 4. What courſe could be taken in the *Intervals* of Councils for the Churches Government in its *Catholick* ſtate? 5. *Diviſions and Schiſms* have and will follow hereupon in the Church; for ſuppoſe the Council be equally divided in their voting about Scripture-*Interpretation*, *Tradition*, *Ceremonies*, or *Decencies*, who ſhall determine in ſuch caſe? 6. Suppoſe the leſſer part divide from and declare againſt the greater and its proceedings, What Supreme Power is there *Authoritatively* to conclude them, *Eccleſiaſtically* to admoniſh and reduce the Erring part? 7. *Oecumenical Councils* cannot eaſily and preſently be convened, in caſe of emergent Church-difficulties, as in the ſudden Defection of *a National Church* or Paſtor to Schiſm or Hereſie, in the ſtarting up

of new Sects, Canonization of new Saints, &c. An Errour may ſpread itſelf ſoon over a whole Nation, before ſuch a Council can be called, and any remedy applied. 8. It is needful every Church do exerciſe its power in *an unity*, and not in *a multiplicity*; therefore there are National, Provincial, and Dioceſan Paſtors. Therefore there ſhould be a Catholick Paſtor to the Church catholick, for the avoiding the like *Rocks and Precipices* that other Churches would *ſplit* upon, if they had not their particular Heads and Paſtors.

§ 17. *Sixthly.* We argue from the Neceſſity of *calling and convening of Eccleſiaſtical Councils.* In whoſe power is it to call an Oecumenical Council, if there be no Oecumenical Paſtor in the Church? For firſt, the Aſſemblies of every Church are to be *convened* only by the Paſtor of the ſaid Church; as in a Dioceſs, Who can *authoritatively* convene the Clergy, but the Biſhop of the Dioceſs? In a Province, Who can convene the Dioceſan Biſhops, but the Archbiſhop? In a Nation, Who hath power *Eccleſiaſtically* to convene a National Synod, beſides the *Metropolitan or Patriarch?* ſo in the Catholick Church, who hath power *Eccleſiaſtically* to convene an *Oecumenical Council*, but the Oecumenical Paſtor? It being a Paſtoral charge to convene or diſmiſs Church-Aſſemblies, and it is done by an *Office-power*. *Object.* Supreme Magiſtrates may call *Oecumenical Councils*. *Anſw.* They cannot by any *Eccleſiaſtical* Right; for conſidered as ſuch, they cannot exerciſe any *Paſtoral Office*. And an *Oecumenical Council* being the moſt eminent Church-Aſſembly, it is not to be convened in a more irregular or exotick way, than the inferiour Aſſemblies of *Subordinate Churches*. 2. It is not in the capacity of any one, or few Supreme Magiſtrates, to convene an *Oecumenical Council*; becauſe no Magiſtrate can by any civil Authority, much leſs by any Eccleſiaſtical, (of which he hath none) call forth the *Biſhops* of another Nation to ſuch a Council: Whereas an *Oecumenical Paſtor*, whoſe Authority reaches equally to all National Churches, and to Magiſtrates as Members thereof, may *Authoritatively* command the preſence of any *Reverend Father* whatſoever, and demand the conſent of the Magiſtrate thereto, under the pain of *Church-cenſures*; and to permit his Biſhops to aſſemble in or out of his Dominions; whereas there is no one or more Supreme Magiſtrate hath any *univerſal tye Eccleſiaſtical* or *Civil* of other States and Dominions to his Juriſdiction; ſo that they are *neceſſitated* under any Law to ſubmit thereunto, unleſs ſuch which they have reduced unto *Homage* and *Vaſſalage* by dint of Sword, or ſuch as by voluntary

tary Subjection have yielded themselves. 3. Magistrates have not then a Power to call an *Oecumenical Council* when they please; or if there were such an Emperour (there never was or will be) that could in respect of his *civil power* do so, yet they have no *Ecclesiastical power* to do it *authoritatively*, but onely by concurrence or consent; whereas all Church-Assemblies are authoritatively to be called by the Officers of the said Church, or else they cannot act so when called by Assemblies, unless we reduce Church-government unto a *Democracy*.

§ 18. *Obj.* It may be also said, that an Oecumenical Council may be convened by the consent of *Patriarchs and Bishops* among themselves. *Answ.* 1. This is no *Authoritative way of assembling*, (such as Bishops will always contend for) but onely *precarious*. 2. If they assemble this way, either it must be no Council till all be agreed, which may be long enough first; or any few agreeing to assemble, and give notice of such resolutions to others, (who are averse to such Proposals) may gather together and call themselves *an Oecumenical Council*; undertake to make Decrees, determine matters of consequence, and impose on the dissenting Churches. And what dangerous consequence would this be of in the Church, especially where *Heretical Pastors* abound, as in the times of the *Arrian*, *Macedonian*, and *Nestorian* Heresies? 3. If *National Pastors* may convene by consent to constitute an Oecumenical Council, why may not *Bishops* and *Archbishops* convene by consent to make up a National Synod without the Authoritative Call of the Primate? which will by no means be allowed.

2*ly*. and lastly, By whose authority shall a Catholick Assembly have its *Sanction*, if not by *the Catholick Pastor*? for it's not every Council that calls it self *Oecumenical*, that can or may be allowed to be such; neither ever was there, or ever will be any so General, that all the Pastors were assembled: But it is in this as in all other Church-Assemblies, if they be called *by the Pastor*, and publick notice given to all the Members of the time and place, the absence of some alters not the nature of it; *Ergo*, there should be an Oecumenical Pastor for these ends and purposes.

CHAP.

## CHAP. XV.

### *Of the Magistrates Power in matters of Religion.*

§ 1. THe power of *Magistrates* in matters of Religion, hath been very much controverted, and variously determined by men of Learning and Conscience. I shall not fill up these sheets with transcribing other mens Sentiments; I shall onely propound what seems to me to be agreeable to Scripture and Reason, with as much perspicuity and brevity as I can. There are three things for enquiry that will principally lie before us.

1. *Whether the Civil Magistrate may exercise a Legislative power in matters Evangelically indifferent?*
2. *Whether in the execution of Ecclesiastical Justice, the sword of the Magistrate may be used?*
3. *What are the true bounds and limits of the Magistrates power in matters of Religion?*

The first Question is thus to be understood: *Whether the Civil Magistrate may or can change things religiously indifferent, into necessities, by a competent Law? i.e.* by a Law binding Conscience *primarily or secundarily*, by Christ's authority, (for we have shewed that no authority can reach Conscience so as to binde it or loose it, but *Christ's alone*) that being no competent Law that answers not the true nature of the obedience required; which is always expected here to be *conscientious*. All Christ's Laws flowing from his peculiar *Legislative prerogative* over his Church, have an *immediate influence* on Conscience, and do *primarily* binde as such. All just humane Laws do *secundarily* binde Conscience, *i. e.* not *quatenus humane*; but they so far binde Conscience, as men have derived such authority from the *Lord Christ* for the composing and enacting the said Laws. Now if the Magistrate cannot make a Law in one of these kinds to binde Christians in *matters indifferent*, he cannot do it by a *competent Law*.

§ 2. Having thus explained the true meaning of our Enquiry, we determine in the *Negative*; and that for these following reasons.

*Arg.* 1. It's Christs *peculiar prerogative* to be the Lawgiver to his Church, *i. e.* to make such Laws as *immediately* concerns it. He never

never gave this power to any, or commissionated any to exercise a *humane authority* in this kind, as hath been abundantly shewn. He onely can do it. 1. He is the onely *Spiritual King*; there is no other *mediate* Spiritual King between him and his Church. 2. *He knows* onely what is fit to be the matter of such a Law: *He knows onely* which way he will be worshipped, and no way can be acceptable to him but that which is of his *immediate appointment*; It's high presumption in any other to prescribe. 3. It's *his Glory* to reserve this to himself; and he gives to Magistrates that power which they have; it's but reasonable he should reserve to himself *what he pleaseth*. 4. If Magistrates can exercise any such power, it must be by *deputation* from Christ. If there be any such, let them produce their Commission; which cannot be pretended to in the New Testament: and what is said of Magistrates power from the Old Testaments authority, will easily be refuted, if the particular cases be duely considered; which I shall not now stay upon. 5. If Christ hath given such a power to a *Christian Magistrate*; it belongs to him as a *Magistrate*, or as a *Christian*; it doth not belong to him as a *Civil Magistrate*: for then, 1. As many sorts of *Magistrates* as the Church doth militate under, so many sorts of *Lawgivers* in Spiritual things she should be subject to; whether *Christian*, *Heretical*, *Prophane*, or *Heathenish*: and as the government of State alters in the *Supream Magistracy*, so the Laws of the Church must, according to the *several interests* and *corrupt designes* of the sons of men. 2. The number and certainty of *Ecclesiastical Laws* could never be known; for as he may make Laws, he may *repeal Laws* where they are of the same kind: So that there would be no certain *standing Rule* for the worship of God, all being *alterable* in *Addition or Subtraction*, by the will and pleasure of man. He may alter the Modes and Dresses of the Church in all matter of Ceremony at least, that the Church will be liable to as many new fashions as an English man: as *one Magistrate* may change his *own Laws*, so many will change *one anothers*; one, it may be, being *Popish*, another *Episcopal*, a third a *Presbyterian*. So that if the Magistrates Laws must binde the Church *Ecclesiastically*, it may be bound and unbound a hundred times in a few years, and put on as many Shapes as *Proteus*: for still as there is *new Lords*, so *new Laws*. But where there is a *permanency* and *unchangeableness of Lords and Lawgivers*, there will be a certainty and stability of Laws, as always under Christs *immediate Legislation*. 3. If this power be allowed to a *Magistrate* as such,

then

then to a *Heathen Magistrate*, and he may make Laws according to his *Religion*, *viz.* that Christians should *eat Meat sacrificed to Idols*; which eating in it self is an indifferency, 1 *Cor.* 10. But I would fain know whether any of the strenuous Protestant-contenders for the Magistrates power in this kind, would not think it a great sin both for the Magistrate to make such a Law, and for any Subject knowing of it to obey him in it. Again, a *Jewish Magistrate* may make a Law that all should *be circumcised*, because *Paul* determined it to be but an *Indifferency*: after the abolition of the *Jewish Law*, a man might cut off his Foreskin or let it alone; *Circumcision was n thing*, and *Uncircumcision nothing*; it was but the taking away or keeping a little fleshie skin. But I would ask whether if any Magistrate should make such a Law that all the *Males* in his dominion should be *circumcised*, whether every conscientious Christian would not then suffer much, before he would be *circumcised?* saying as *Paul*, That if they were *circumcised* by virtue of such an Impolition, *Christ would profit them nothing*: And this is the Doctrine preached by him to the *Galatians*.

§ 3. Christ hath not granted any such power to a Christian Magistrate as a *Christian merely*; if so, it will follow, 1. That one Christian may institute a *way or mode* of Worship for another. 2. That *a strong Christian* being a Magistrate, may force the *weak* to use all those things that he *calls indifferent*, though the other *call them* and *reputes them unlawful and sinful*. 3. If the Scales of Providence turn, and the *weak Christian* be made the Magistrate, he may pay home the strong, and make a Law for him to punish him, if he use that as *an Indifferency* which he esteemed so; and so binde him up in many things from walking by the *Rules of Expediency*. 4. Every Magistrate that calls himself a *Christian*, must be allowed the *Christian's power*, though never so *prophane*, *erroneous*, or *heretical*: for who dare controul him so far as to say he is *no Christian?* or to wrest the *Ecclesiastical Sword* in this kind out of his hands, if it belong to him *quâ Christian?* Or how dare any to say, he is *not a Christian* so and so qualified, and therefore hath not such a power? Neither is it fit any exception should be taken in this manner; for we know nothing lies more open to censure than Magistrates Religion: and if every *Subjects humour* must be a Standard to the *Magistrates Religion*, all things would fall as certainly to confusion on that side. If you allow such a power to him *as Christian*, so he professeth himself, and so he takes it; and it's too late to dispute with him about

his

his *Sincerity* and *Qualifications*; under that denomination he took the Sword by your allowance, and hath now more wit than to part with it upon every humoursome exception made against the strictness or modality of his Christianity. 5. If as *a Christian*, then such a power is a proper adjunct of a Christian, and every Christian should have it; but nothing is more false and absurd than this.

§ 4. *Arg.* 2. That which destroys *Uniformity* in the Church, ought not to be allowed; but for the Magistrate to exercise such a Legislative power, destroys Uniformity in the Church, *Ergo* not to be allowed. The Major will be granted by our *Contenders for Uniformity in Ceremonies*. *The Minor* is evinced thus: it certainly hinders and destroys *Uniformity in the Catholick Church*; and that which destroys Uniformity *in a Universality*, is the most universal enemy to it: for if every Supream Legislator in each Nation may dress up the National Church in a suit of Ceremonies shred out of Indifferencies, according to the imaginations of his own brain, (in which Ceremonies the great Uniformity contended for, doth consist) there can never be an *universal concord* of all Nations, of the English, Greeks, Romanists, &c. to perfect and compleat the most beautiful and *necessary Uniformity*: All other ceremonial Uniformity which men undertake to plead for, is but *Uniformity in Independency, Disunion, Disagreement*, if not Schism it self: for though it be *National*, yet if it be not *Universal*, it's but a *particular Church* in a way of separation from other Churches; as an Independent Congregation in a Parish that is Uniform within it self in *judgment and practice*, but disunited and separated from the Parish and *all other sorts of Churches* whatsoever. Now if the *stress of Uniformity* lie here (as these men plead) it cannot stand upon this basis of the *Magistrates power*: for there will never be the *sameness of Ceremonies* in all places; Rulers being so adverse to each other, that they glory rather in a contrariety of Laws and Customs, than are ambitious of having the same. And let it be considered, whether the giving this power to him, doth not cut the very *Throat of Uniformity in the Catholick Church*, and lay the very Seed-plot of *Schism* and *Division*. Hence those *Principles* that lay the undoubted ground of Uniformity *in a universal Head Ecclesiastical*, do go upon far surer grounds of Reason for the effecting it, than those that pretend and designe to effect it by the *Magistrates power*, as we have shewed before.

§ 5. *Arg.* 3. He that may not assume to himself the *Executive*

*power* of Eccleſiaſtical Laws, cannot *enact Laws* of the ſame kind. But the Civil Magiſtrate may not aſſume to himſelf an Executive power, &c. *Ergo*. The Major is evident, becauſe he that maketh Laws, may undertake alſo the *Executive part*, or diſpoſe of it by *deputation*. And the Argument of the Major is from *the leſs to the greater*; for the *Executive power* is primitively in the Law-maker, and cannot become anothers but by *derivation* from him. *Minor:* but the Civil Magiſtrate hath no ſuch power conveyed to him, &c. I mean, *Judicial Eccleſiaſtical Execution*, according to the true intent of the Law for Chriſt's inſtituted Worſhip. It is true, ſo far as *Civility* and *Morality* is to be maintained in Religion and in the Churches, as well as Families, and other Societies therein, they are as liable to the *Judicial proceedings* of Magiſtrates, as any others be; but in thoſe *Evangelical parts of Worſhip* annexed by Chriſt in ſubſtance or ceremony, which diſtinguiſheth the *Oeconomy* of the *Church* from that of the *Commonwealth*, here the Magiſtrate cannot *execute by himſelf*, or *depute another* to adminiſter the *Executive part* of Chriſt's Laws. The reaſon is, becauſe all ſuch Laws changing Indifferencies into Neceſſities in the Worſhip of God, are of a *Spiritual* nature, and *Eccleſiaſtical*, and therefore muſt be *executed ſpiritually* in *foro conſcientiæ*, or *Eccleſiaſtically* in *foro Eccleſiæ*; but he cannot do either of theſe: for the firſt he cannot, becauſe Chriſt hath *abſolutely* reſerved Conſcience to himſelf; nor the latter, becauſe *Execution* in the Church is peculiar to the *Officers of Chriſt*, as his *Deputies and Officers* of his own appointment.

§ 6. *Arg.* 4. They that are not to make Laws for the *terrour* of them that do well, are not to make ſuch Laws as change Evangelical Indifferencies into Neceſſities; *at Ergo*. The *Minor is undeniable*. The *Major* appears thus to be true, becauſe to make ſuch Laws, is to *terrifie Chriſtians* in the uſe not onely of their *lawful liberty*, but alſo to ſhake them from their ſtanding in that liberty that Chriſt hath *purchaſed*, *and commanded them to ſtand faſt in*; beſides the abridging them the free uſe of Chriſtian diſcretion, which is good, from which they ſhould not be terrified.

§ 7. *Arg.* 5. The Magiſtrate cannot take away the *Rights and Priviledges* granted to the Church by Jeſus Chriſt, which he purchaſed for it, &c. by *laſt Will and Teſtament* beſtowed, and is his peoples right of Inheritance: But the liberty of the uſe of the judgment of Diſcretion in matters of Indifferency, is *a great and valuable priviledge* ſo granted and beſtowed on his Church and People.

Now

Now the Magistrate should be so far from bereaving the Church of these, that 1. He is to maintain and defend the Church in the free use of its *Liberties*, and to be as a Nursing Father to her therein. 2. The Magistrate should be ready to punish the *bereaving* of the Church of her just Rights, as *Sacrilledge*; which is robbing a Church, a Sacred Body *politick under* the Civil Magistrates jurisdiction: The Magistrate should be far from doing that action which he is to punish in another as Sacrilledge, and if a Christian's Liberty be *a Sacred thing*, the taking of it away is *Sacrilledge*. That it is Sacred, I prove thus: That which is of *sacred use*, and *peculiarly related to the Worship of God*, and to the Members and Church of Christ, as *their Privilledge*, allotted to them by Christ's special procurement and appointment, is *Sacred*; and the taking it away is no better than *Sacrilledge*. As for other lawful Liberties (common to them with others in *Morals* and *Civils*) others may use them that are not related to the Gospel; but a Christian Liberty is in things *pertaining unto Christ*, and his ways of Worship and Service.

§ 8. *Arg.* 6. He that can make those things *necessary* to the Worship of Christ, which Christ hath only made indifferent, can make the *Kingdom of Christ* to consist in those things that he never did: the *Kingdom of God stands not in meats*, &c. and the Kingdom of God stands in that which is *necessary* to it; and if the Magistrate will make things *necessary* which Christ never did, he goes about to make the Kingdom of God *stand in that* which Christ never did. And this is a great usurpation of a power not belonging unto him; for Christ never empowered the Magistrate to determine what his Kingdom should consist in, and make it to consist in that which he never did.

§ 9. *Arg.* 7. A Magistrate is not capable of exercising such a *Coercive power* as will make me believe in my conscience, that to be *necessary* for the Worship of Christ, which I am convinced that he hath *left indifferent* onely; that Law for the Worship of Christ that lays no obligation on Conscience, is of no concern therein. Now Christ having bound Conscience by his Law as far as is necessary, there is no room left for Man to come in with his Laws. Whatever is Evangelically necessary to the Conscience of a Christian, is so, because he is convinced it is the *Will of Christ* that it should be necessary. Now can the mere *Coercive power* of any one on Earth make a man believe that is not necessary which Christ hath made *Conscience to submit* to as necessary? If so, then may the same authority make

a man believe that to be *necessary* which Christ hath made us believe not to be *necessary*, but onely indifferent: for as no Law of man can absolve a Christian from the *conscientious observation* of any one Law of Christ; so no Law of Man can binde a Christian in Conscience to the practice of that in religious matters, which Christ never bound him to; but he will be still perswaded that Christ hath left it to him as an indifferency, and it's his duty to walk in it by discretion; and that must be a Churches or Christian's own, as the matter requires, relating to a Community or private Person.

*Obj.* But the *Magistrates Judgment* can best determine of *Expediency*, being greatest and wisest. *Ans.* In matters of that nature men may advise; and the greater and wiser men are, its likely the more forcible Arguments they may produce; but there is no force to be in the case, men are not to be forced by a Law to do that, which is most expedient in the Worship of God: For 1. the Magistrate may be mistaken, and that which is expedient to him, may not be to another. 2. That which is expedient one time, may not be another; therefore in the doing Expediencies, we are not to be determined to act always one way by a Law. *Object.* But the Magistrate may punish for not practising. *Answ.* None is to be punished for not practising what they believe unlawful.

## CHAP. XVI.

### *Of the Use of the Magistrates Sword, in the Execution of Ecclesiastical Justice.*

§ 1. THe Second Enquiry propounded about the Magistrates power, is this; *Whether in the Execution of Ecclesiastical Justice, the Sword of the Civil Magistrate may, or ought to be used?* i. e. Whether for the punishing and reforming Offendors against Church-Laws, the Magistrate may inflict such penalties on the outward Man, as he and the Church shall agree upon; as Pecuniary Mulcts, Scourgings, Imprisonments, Confiscations, yea, death it self in some cases, as in matters of Heresie and Seduction. And to prevent mistakes, we shall premise these things: 1. That Church-Members offending *Civil Laws*, may, and ought to suffer the penalties thereof from the hands of Magistrates, as such as stand subjected to them in a civil capacity, equal with other Subjects. 2. That a *Church-Member* (as of the

the Church of *England*, or any other) may justly suffer for the same Offence, *from the Church, and Civil Magistrate*; as for Drunkenness, Swearing, Fornication, *&c.* Moral Transgressions falling under the cognizance of both States, though under divers respects; but a Man is not *ea ratione* to be punished by the Magistrate, because censured by the Church, nor *vice versa*. 3. Hence we assert, That the *Civil Magistrate* cannot punish any *Ecclesiastically, virtute Officii*; neither doth any one meerly upon that account deserve a punishment *from the Magistrate*, because he is apprehended to remain under *a Church-censure*; neither can the Church Appoint or Depute the Magistrate to use his *Coercive power* to reduce any one to Ecclesiastical obedience.

§ 2. *The Question* (on supposition that the Church will presume to take on her the enacting and executing more Laws than ever Christ did or impowred her to do) hath two parts: 1. *That in execution of Ecclesiastical Justice, of Christ's own Institution, it is not agreeable to Christ's mind and will, that she should use the Magistrates Sword.* 2. *That the Church is not to use it* in requiring her own Laws. I prove the first as follows.

§ 3. *Arg.* 1. Christ hath not annexed any *Corporal punishments*, or *Pecuniary Mulcts* to his Laws, which he hath enacted for the due governance of his Church; if he hath, let the Asserters shew where our Saviours Law is, *If thy Brother offend, tell of it privately; if he hear not thee, take two or three more and admonish him; if he hear not them, tell the Church; if he hear not the Church, let him be as a Heathen and as a Publican unto thee*; i. e. in respect of Christian Communion and Society: and this is called by the Apostle, the *delivering up unto Satan*; there being but two sorts of Communions in the world in this sence, in the Church, and out; *in the Church* is in Christs Kingdom; *out of the Church*, is Satans; and when he is cast out of the visible Society of the Saints, it's for the *humbling of him*, and bringing him to godly sorrow and Repentance; which is called there by the Apostle, 1 *Cor.* 5. *the destruction of the flesh.* But here is no farther degree of punishment, this being the highest the Church is capable of executing: he says not, If he comes not in and submits in so many days, let the Pastor *certifie* to the Secular Powers, and let them seize his Body and Imprison it, or his Estate and Confiscate it: This is a new way of bringing Men into Gospel-Repentance for Church-Offences, which Christ and his Apostles never practised or prescribed. Will the Assertors say, that the meaning of delivery of an Offender to Satan, is the delivery of him to the Magistrate to be puni-

punished? this were to cast a great odium on *Civil Government*, as if the Spirit of God did there represent the Magistrate under so contemptible a Character. 2. It were to conclude, that Church-Members were not under the Magistrates power, to punish them for any Offences, till they were delivered up by the Church thereunto; and therefore, that he cannot take *immediate cognizance* of his Subjects Offences, so far as concerns Moral or Civil Justice, but must proceed still according to the *Churches appointment* and determination. 3. That the Church hath a *binding or loosing* hand on the Magistrates Sword, to draw it out or put it up at her pleasure, and the Magistrate should be Armor-bearer to the Church.

§ 4. If Christ had annexed any such penalties to his Ecclesiastical Laws, he had left his Church very *lame in its Polity*; for in most Ages it hath been Hated, Persecuted, and Maligned, by Civil Powers under whom it hath Militated, and the point of the Magistrates Sword hath been turned against her, and not the Hilt put into her hand: now in such a state, how should the poor Church obtain the said Sword to cut off a *perishing Member*? and how should she be able to execute any Censure effectually, according to Christ's Law; if there be such a penalty annexed which no Church of Christ in some Ages hath been in the least capacity of executing? If the Church were in capacity of doing it, it must be capacitated *from within, or from without*; if from within, then Christ hath empowered it with a *Magistratical authority*, and every Church, as such, may use it; and if so, she must shew *Christ's Commission* for it. And if she pretend to it, it's a question whether Civil States will allow it; she had need have good power and strength to maintain it, as the *Pope* hath. And where the challenge of such Right hath been made, hath it not always been the occasion of the greatest Civil Broils in Kingdoms and States through Christendom? And if it should be made under Heathen States, and such Churches should presume to inflict corporal Punishments, or pecuniary Mulcts on offending Brethren, they must certainly expect the loss of any Liberties they do enjoy, and be adjudged for Sedition, Treason, and Usurpation. But if it be said, that it's not from any *Invinsick power* that the Church useth this Sword, then it will follow, that it belongs not to the Church as such, neither is her inseparable propriety. 2. She must onely borrow it; and suppose it will not be lent, doth the true execution of Christ's Laws fall to ground? and cannot Ecclesiastical Justice be distributed? 3. Again, if we must borrow the Magistrates Sword upon

all

all *occasions of Reformation*, then she is not sufficiently empowered by Christ *to reform* her self; and *Ergo*, left more imperfect than any State or Society in the world; as civil Corporations and Families, yea, and particular Persons, they have *power intrinsick sufficient* for Self-reformation, if Vertue prevail, and the greater ruling part be not corrupt. The Sword of the Magistrate is no more Essential to the *being or reforming a Church*, than of a Family; a man may correct a child, or turn away a servant, without a Magistrates power, or offending it, so he keep within the sphere of Domestick Justice: So may a Church inflict the greatest Ecclesiastical punishments without the Magistrate, or without intrenching upon him, so as the true bounds of Ecclesiastical Justice which Christ hath set, be observed. And this brings me to the second Argument.

§ 5. *Arg.* 2. If the Church may and ought to inflict Ecclesiastical punishments to the full satisfaction of the Laws of Christ, without the *use of the Sword of the Civil Magistrate*, then they may not use the said Sword, *&c.* nay, it's the highest Injustice to use it, it being severity beyond *Summum jus*. But the Church may inflict punishments to the full satisfaction of Christ's Laws; Christ hath put an *Ecclesiastical Sword* into the hands of the Church, to be managed against Offenders (distinct from the *Civil Sword*,) the just management whereof is as much as he requires from the Church, and the undergoing the pains whereof, is as much as he requires that Ecclesiastical Offenders should sustain in a Church-way. Neither doth the political Laws of his Church demand any such satisfaction from Church-offenders, as *Fines*, *Whippings*, *Imprisonment*, though the Offence be such, as under the cognizance of the civil Magistrate, by his Laws, and in his State, are deservedly punished so: As if a Church-member be drunk, the Magistrate may take him up in the street and set him by the heels; but if the Pastor of the Church see him so, he hath no such power as to punish his *outward man*, but to administer *Admonition*, *or Excommunication*, as the matter requires, till the person offending is brought to true godly Remorse and Reformation; but the Church hath nothing to do to imprison him, put him in the Stocks, *&c.* or deliver him to the Magistrate by their Sentence so to be dealt with.

§ 6. *Arg.* 3. If the Church can and ought to use the *Sword of the Magistrate*, it's surely to correct for the most gross and criminal Transgressions; as for *Drunkenness*, *Swearing*, *Lying*, *Theft*, *Fornication*, *&c.* for all just Laws inflict the most Exemplary Punishments on the

most

moſt hainous and ſcandalous Offenders. But it's moſt evident the Church cannot uſe the Sword of the Magiſtrate, in caſe of the moſt criminal and hainous Tranſgreſſion; becauſe, 1. Chriſt nowhere empowers a Church, or ſo much as allows it, as ſuch, to *fine*, *impriſon*, *hang*, &c. for offences deſerving the ſame at the hands of the civil Magiſtrate. 2. He nowhere requires the Churches to become *Informers* unto civil Magiſtrates; it belongs to the Magiſtrate to look after the obſervation of his own Laws; the Church is not to be his *Conſtable* to ſeize Offenders for him, neither is the State to be the Churches *Hangman* to execute for her; each State is to look after the execution of their own Laws, in their own way and manner. 3. Where *Paul* is diſtinct in each particular of the cenſure to be denounced upon the *inceſtuous perſon*, 1 *Cor.* 5. 4. requiring them to execute it in a ſtrict and ſharp manner in the *Name and Power of the Lord Jeſus*; and although Inceſt is a crime to be *puniſhed by the Judge*, and with death by the Law of God, he writes not to the Church to inflict any corporal puniſhment on him; neither doth he certifie the civil Magiſtrate againſt him, or command the *Corinthians* to *inform*. What *Peter* did in the caſe of *Ananias*, was extraordinary and miraculous, and not preſidential in the leaſt to any ſucceeding Church-Officers; neither did he aſſume any civil Authority in ſo doing.

§ 7. Neither doth the National Church (notwithſtanding all her ſeverity *uſed towards Non-conformiſts*) execute any ſuch puniſhments on the like ſort of groſs Offenders, or by the higheſt cenſures turn them over to *Civil Powers* for that end, though ſhe ſaith that all men and women inhabiting within her Precincts, at leaſt all ſuch as are chriſtened, are actually Church-members; and although it's a confeſſed Principle of all Proteſtants, that all openly ſcandalous Church-members incorrigible, ought by cenſure to be cut off from Communion; and although her ſelf affirms that the ultimate means to be uſed in caſes of obſtinacy, perſiſted in (which ſhe calls Contempt) after Church-cenſures, is the application of the Magiſtrates *Coercive power*. Now how well ſhe doth apply theſe Church-Remedies to the ſcandalous Church-members, let the impartial judge. Is it not requiſite that ſhe ſhould wait upon all her Tyburn and Goal-bird Sons and Daughters a little more than ſhe doth? and endeavour firſt by Admonition to bring them to Remorſe; and in caſe of obſtinacy to excommunicate them, and not ſuffer obſtinate Felons and Traitors to be hang'd within the Pale of the Church?

Indeed

indeed there needs no certifying to the Magistrate, and taking them by a Writ *de Excom. cap.* because the Magistrate hath secured them already: but I will tell you where there is need, *viz.* for the picking up of obstinate contumacious Drunkards, Swearers, and fornicating Church-members, which the Land swarms with. And what a blessed Reformation would there be, if *Mother-Church* did do her duty in this kinde so strictly as she deals with Non-conformists! *viz.* in admonishing them, and in case of contumacy, to excommunicate them, and upon their perseverance in the said sins, to take them all up with Writs *de Excom. cap.* and send them to Prison, there to abide till they repent. If the Church proceeded thus with the generality of scandalous and loose Parish-members, the major part left at liberty would be Non-conformists, and if they were secured too for Non-conformity, the old Woman might know where to finde most of her children of *both adventures.* But who is so blinde as not to see the *unspeakable Partiality* of the Church in this kind, in crying out against the conscientious Dissenters, and persecuting of them in so merciless and outrageous a manner, and in letting all the rest of the ranting debauched Church-members go Scot-free, yea, and encouraging them to persecute the rest more serious and conscientious, under the name of Separatists and Schismaticks? *Dat veniam corvis, vexat censura columbas.* Juven.

§ 8. The second part of the Question about the *use of the Magistrates Sword in execution of Ecclesiastical Justice*, is built upon a supposition that the Church might make Laws, besides what Christ hath made, *i. e.* supposing she might change Indifferencies into Necessities by positive Laws. The Question is, *Whether it be agreeable to her Justice and Wisdom, to annex to her Laws the said corporal or pecuniary Punishments*, or cause the Magistrate so to do? We answer in the *Negative*, for these reasons. 1. Because to annex or cause to be annexed the severest punishments, or at least most smarting to Offenders of Laws of least concernment to the Publick weal of Church and State, and of the least necessity in respect of the Observers, is neither *Justice* nor *Wisdom*; but for the Church to annex Excommunication, or cause to be annexed corporal Punishments, or pecuniary Mulcts, to Laws of her own making, in matters of Indifferency, is to put the *severest Penalties* to Laws of *least concernment.* The *Major* is most evident, because *Wisdom and Justice* always requires that there be a due proportion between the weight of Obedience required, and the Punishment of the Disobedience forbidden. The

*Minor* is granted by the Imposers and Composers of Ecclesiastical Laws of this kind, and (as they think) a plausible defence of themselves in so doing, *viz.* that they exercise this *Legislation* onely in matters of smaller concern, *not necessary to salvation*, left by Christ indifferent; and what necessary goodness they pretend to be in them, is the shewing our obedience to our Superiours, and satisfying the Will of man, and some little external Decency and superficial Uniformity: And for offending in this kind, her children must be stript of Privileges, and laid open to all injuries of Church and State. Doth this consist of Christian Prudence and Justice? Is it not *to tythe Mint and Annice*, with the greatest zeal, and not onely to neglect the weighty Laws, but to encourage the violation of them, by taking into her bosome and dandling on her knee the most audacious Transgressors, and the greatest and most professed Enemies not onely to the *power of Godliness*, but to *common Honesty and Morality*? 2. If it had been Political Wisdom or Justice to annex such Penalties to Ecclesiastical Laws of any kind, sure Christ (in whom are all the *Treasures of Wisdom*) would not have been wanting in annexing Penalties of that kind to his own Laws of the greatest and weightiest concern to his Church. 3. We judge of the greatness and weighty concern of any Law, usually by the greatness of the *Penalty* annexed, in case of transgression: and therefore herein we may apprehend that the Churches own Laws challengeth a preheminency before the Laws of Christ's own composure; and would this King of kings make onely Laws of lesser concern, and substitute others to make the greater? this is absurd to believe. 4. It is a great piece of pride in *Mother-Church* to advance her self so far above the *Civil State*, that the Magistrate should become the Executioner of her Laws; for the *Law-maker* hath always a great priority and dignity above the *Executioner*. If it be replied, That the Church onely craves the Magistrates assistance to compleat her Ecclesiastical censures, and make them stick closer on upon the backs of Offenders, *Answ.* Herein the Church bewrays her own weakness, in that she confesseth she is not a *compleat Polity*, neither hath power enough to reform her self, or effectually enough to execute her own Laws, without being beholding to an *Exotick power*. As if a *Master of a Family* had not power enough to execute Domestick Laws in correcting a *Child* or *Servant*, without asking his neighbours leave, and calling for his assistance. But in case the Church saith, (as indeed she doth) that she goeth to the civil Magistrate by way of Appeal,

and

and the said Magistrate hath power at his pleasure to supersede her proceedings; This is to set the State above the Church in Ecclesiasticks; whereas the civil State is *Subordinate to the Ecclesiastick* ecclesiastically, and the Ecclesiastical to the Civil civilly; and both in respect of the exercise of Jurisdiction in each particular Orb paralled or *subordinate*.

§ 9. Lastly, such *Penalties* that cannot answer the natural end and designe of Ghulch-censures, may not be annexed or used by the Church; but such a Penalty answers not, *&c.* The *Major* is undoubted; the *Minor* thus appears: 1. Because the Sword of the Magistrate reacheth but the outward man; whereas the end of Church-censures is to reach the Conscience. 2. The natural use of Church-censures, is the exercise of them in *foro Ecclesiæ*; but the *Coercive power* of the Magistrate may not be exercised in *foro Ecclesiæ*, upon any allowable pretence whatsoever.

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## CHAP. XVII.

### *Of the Limits of Magistratical Power in matters of Religion.*

§ 1. THe third Enquiry propounded, is concerning *the true bounds and limits of the Magistrates power in matters of Religion*; a great and difficult Question, but of very great concern to us that it be rightly resolved. I do not expect to be so happy as to give others full satisfaction in it, I being not able to do it to my self so far as I would; I shall onely go as far as I can, and is convenient for this undertaking, with all possible brevity and demonstration.

We spake before in the *two former Questions* concerning the Magistrates power in matters of Indifferency, both Legislative and Executive, on the behalf of the Church. This Question is of larger extent concerning his whole power *in matters of Religion*, and enquire how far he may and ought to go, and how far he may not go, *i. e.* he cannot go without Usurpation.

§ 2. *Matters of Religion* is a large word, and it comprehends not onely *Religion it self*, but all *circumstances and attendances thereof*; which are Indifferencies in themselves, neither *morally good or evil*; but in regard of their tendency and respect, they are so. Concern-

ning the Magistrates Legislative power in these things, we have spoken somewhat already.

I shall speak no more here of the *nature of Religion*, than to make way for my present Undertaking. Religion is usually understood to comprehend all *moral Duties* and all *instituted Worship*; to which if we adde the aforesaid attending circumstances, we use a larger way of expression, and call them *matters of Religion*.

§ 3. The Moral Law is a *generall standing Rule* to all sorts of Actions, Persons, and Societies of the children of men, whereby God himself hath challenged the *first right of dominion*; as of particular men, so of all necessary Fabricks of Rule and Government in the world: So that all *Actions*, *Persons*, and *Societies*, duely measured and squared thereby, are rightly called Religious, and the contrary Irreligious. Hence particular, *Domestick*, *Ecclesiastick*, and *Civil Jurisdiction* in a Christian Commonwealth, are in proper sence called all of them Religious.

§ 4. Religion, taken in a stricter and more limited sence, is understood of a holy life and conversation of particular Persons and Societies, not onely according to the general Rules of *moral Obedience*, but according to the *more particular and special appointments and Gospel-institutions* of our Lord Jesus Christ, whereby he separates unto himself the most *choice* and *peculiar Societies* in the world, under his proper and more immediate Rule and Government, which are called his Church.

§ 5. Therefore, 1. The civil Christian Magistrate hath no power (in the strict sence) in matters of Religion, *quatenus Magistrate*, no more than a Heathen hath; for though the *embracing the Christian Religion* doth much *capacitate* the civil Magistrate, as to his inclinations and endeavours for the improvement of his Magistratical power toward the advantage of Religion; yet it adds no new power or jurisdiction to him over Churches, Families, Christians, or others: for a Heathen Magistrate is as much in his place, the *Supream Head and Governmour* of the Church (considered in a civil capacity under his Government) as the most *Faith-defending Christian*, *or Catholick Prince* in the world: Neither by his embracing Christianity doth he attain any *augmentation* of his Magistratical Power, Headship, or Supremacy. A Christian is no more bound, as a *Subject*, by the Rules of the Gospel, to a Christian Magistrate, than to a *Heathen* or *Heretical Magistrate*. The Rules are indefinite to a Magistrate as such, though a Christian Subject will be the better man and Subject,

and

and a Christian Magistrate the better man and Magistrate; Christianity making every one the *better man*, and *better qualified* for the performance of the *relative Duty* of his place that he is set in.

§ 6. *Secondly*, No civil Magistrate can be an *Ecclesiastical Head and Governour* of the Church, as such: It's Christ's *Prerogative* to be the Supream, and to constitute what other Heads and Governours he in his wisdom thinks best. But I finde not that he ever made any Magistrate a constitutive Ecclesiastical Head or Governour to his Church *virtute Officii*: for if so, in every Christian Dominion the Prince should be the *Metropolitan* and the true Pastor to that National Church.

§ 7. *Thirdly*, No civil Magistrate can by virtue of any authority granted by Christ, challenge to himself a *Legislative power* in religious matters touching *Faith or Worship*: he cannot *null or dispense* with one of the Laws of Jesus Christ; neither may he make any new Laws to binde us to believe any thing more concerning God, than is manifestly by his Word revealed; or binde us to practice any *alteration or addition* in the Worship of God, more than what Christ himself hath enacted. This we have sufficiently proved in handling the Doctrine of Indifferency.

§ 8. *Fourthly*, No civil Magistrate can by any *deputation* from Christ, claim an *Executive power* of the Political Laws of Christ in his Church: for as Christ hath his own proper Laws in his Church, his militant Kingdom, distinct from other Laws for the right and exact Gospel-management of all his *Political affairs* therein, and is more faithful than *Moses* in that very respect; so he hath set in his Church *his own Ministers and Officers*, distinct from all other sorts of Officers and Ministers in the world: As Christ's Ministers are no civil Magistrates as such, so no civil Magistrate *is a Church-Minister as such*. Hence, as a civil Magistrate hath no power to execute Christ's *Political Laws* or Institutions in his Church; so he hath no power to execute any *moral Laws* in the Church, *i. e.* he cannot punish a criminal offence by *Ecclesiastical censures*. The moral Law runs through *all Societies*, as the natural fundamental Rule to discern Good and Evil; and Political Laws of all sorts should mainly respect it as the *Standard* and *Magna Charta* of all Laws and Justice which in respect of it are *derivative*; though every particular Polity hath its own proper way and manner of distribution of moral Justice; The civil State by a *civil political Administration and Magistracy*; Families *Oeconomically*, by the Heads thereof; the Churches *Ecclesiastically*,

by

by its Pastors and other Officers; all endeavouring by their distinct way and manner of Administration, to secure the honour and justice of the Moral Law: but none of these are to intermix their governments and *political way of distribution*, seeing the God of Order hath fixed each one to his proper station and limit of jurisdiction. Hence the civil State can no more punish the breach of moral Laws *Ecclesiastically*, than the Church can punish them *civilly*; and the Church can no more use the *Magistrates* Sword, than the Magistrate can the *Churches*, and *vice versâ*; neither can the Church or civil State punish the breaches of the moral Law *Oeconomically*, any more than a Master of a Family, as such, can punish them *Ecclesiastically or Civilly*, and upon that account may take upon him to be Magistrate or Pastor. And though there was a mixture or rather conjunction of these Authorities in the same person, in the infancy of Polities, yet they have been separated in distinct persons by God himself for many Ages; neither do any persons bearing distinct Offices, make the Offices the same, or necessarily mingle them in the performance of their several Functions.

§ 9. *Fifthly*, It is not in the power of the *civil Magistrate* or any humane Laws, to *binde or loose* Conscience. As Magistrates cannot reach it directly to charge it with either *duty or guilt*, so it's the greatest piece of Tyranny to attempt it by *Penal Laws*; whereby Christians may be drawn in, to ensnare their Consciences in guilt, by sinning against God for *fear of Man*, and a Christian is to obey the just Laws of man *for Conscience sake*, i.e. for the *Lords sake*. It is *extrinsick* to the Laws of men, to binde Conscience; it's God that by his authority gives them a mediate *Sanction*, and binds them on Conscience; but where God lends not to humane Laws his *binding power*, they are of no more force unto Conscience, than Withs to binde *Sampson*. It's not the wit or strength of all Men and Angels that can binde one Conscience *under guilt*, without a Law of God, or divine authority to give force to *humane: their Penal Laws*, i.e. corporal Punishments or pecuniary Mulcts, are very *indirect and vain Mediums* to enforce Conscience, and very sinfully applied by Magistrates or others for that end, in matters of Faith or Worship.

§ 10. *Sixthly*, That the supream Magistrate hath not the determination of *Causes meerly Ecclesiastical*; and these are of two sorts, either *controverted Doctrinals, or Causes disciplinary* controverted: for by *Causes* are to be understood here, things under *dispute* (and they controverted Doctrinals) or under *debate* (and they controverted

Causes

Cauſes diſciplinary;) and thoſe Eccleſiaſtical things which are of this nature, fall under one of theſe heads, *Doctrinal or Diſciplinary*. Firſt, In *doctrinal Cauſes controverted*, the Magiſtrate is not appointed by Chriſt as *Judge*, neither is he a *competent Judge*. 1. If he be *quatenus* a Magiſtrate, then every Magiſtrate is a *competent Judge*, and then a Heathen, Mahometan, or Heretical Magiſtrate; and then you'll ſay the determination muſt needs be very ſound and good. 2. Again, how few Chriſtian Magiſtrates are ſtudied enough in *Polemical Divinity* (being not bred to that learning, or having ſo many recreations and ſecular concerns to divert them from it) ſo as to be fit to have the *ultimate determination* of the moſt difficult and weighty points, that learned Scholars in Divinity, yea, ſuch as are *ſtudious and conſcientious Chriſtians, after long ſtudy, ſcrutiny, and prayer*, cannot attain to a right underſtanding of, ſo as to demonſtrate the truth to the full and clear ſatisfaction of themſelves or others? Is it fit to make an Aſſembly of Divines, Judges of a great and difficult caſe in Law? There is the ſame reaſon for one as for the other. 3. What determination a Magiſtrate makes *dogmatically*, it's *ſimpliciter* but his private Judgment and Opinion, though he be a publick perſon: And why ſhould any mans *private opinion* (be he what he will in the world) be a binding Rule to the Faith of another in matters of Religion? 4. It's impoſſible that it ſhould be ſo; for man cannot make a Law to *bound Faith* in ſuch things as are not founded on the light of Underſtanding; and where they are ſo founded, no man believes becauſe of the Law of man, but becauſe of the *evidence of Truth*. What Law can make any man believe that two and three make ſix? but if it be, that we muſt believe that three and three make ſix, we do believe it; but not becauſe of the Penal Law, but becauſe of the *evidence the Truth carries* with it: *Non lex penalis, ſed veritas eſt ratio formalis fidei*. 5. The Faith of a *Chriſtian*, or the Underſtanding of a *Rational man*, can no more reſt in the opinion or determination of a Chriſtian Magiſtrate, without a ſufficient light of Truth to convince him, than in the opinion and determination of another man: for he that tenders the honour of God, and loves Truth, cannot receive that which he is convinced of (or at leaſt ſuſpects in his moſt ſerious judgment) to be contrary to the truth of the Word of God. 6. The Magiſtrate cannot be conceded to be ſuch a Judge, nor is uſeful as ſuch, unleſs he may be acknowledged to be *infallible*. A ſupream Judge in our ſence, and that which muſt be here underſtood, is one into whoſe judgment our

Faith

Faith hath its last and utmost resolution; but we cannot acquiesce in a *humane fallible determination.* And besides, what Prerogative hath the Magistrates judgment above another mans? and what ease and advantage is it to us, if our minds lie open to doubt as much after as before the determination? No Christians minde can rest satisfied in a *humane fallible opinion* of divine things; the authority causing Belief, must have the same original that the Revelation hath: therefore Faith built upon a Testimony, must be onely on his *own fidelity* as one infallible; as we believe that Truth also which carries its *own Evidence* with it axiomatically delivered, or evinceth it self from the light of another Truth *dianoetically.*

§ 11. The second Case consists in *Causes disciplinarily* debated, being Differences arising within one particular Church, or between Church and Church, or between Pastors and Churches, *&c.* All *Causes* usually handled and determined in Ecclesiastical Courts. The Question is, Whether the civil Magistrate be the supream Judge, or Head and Governour? By Causes Ecclesiastick, are without doubt meant in the Oath of Supremacy, all *disciplinary Causes* handled in Spiritual Courts, the supream Head and Governor whereof was the Pope; in whose name and authority those Courts were called and managed, and to whom it was lawful for any grieved party to *appeal*, before the reign of King *Henry* the 8th; who by the Oath of Supremacy cut off the Popes Supremacy, and established his own. Now I thus resolve, as followeth.

§ 12. If Ecclesiastical or Spiritual Courts be not *jure divino*, nor held *jure divino* (Episcopacy as it's setled in the Hierarchy, and all its Offices and Appurtenances, being onely a *humane politick device*; as hath been abundantly by the Opposers thereof proved, and by many of the Asserters and Defenders confessed;) then, I say, it's fitter that man should be supream Head there; and if any man, the supream civil Magistrate, within whose Realm or Dominion their Courts and Causes *Ecclesiastical* be. The nature of this Supremacy is or should be, that 1. That all Ecclesiastical Courts be called and kept in the Kings Magisties name. 2. That the Sentence denounced should be also grounded on some penal Law of the King; for all the Kings Courts should *judge by his Laws.* 3. That any party grieved may *appeal* to a superiour Court of the Kings, or to himself, from whom there is *no Appeal.* 4. That the King hath power by himself or Judges, to *prohibit* or *supersede* the proceedings of the said Court at his pleasure. This is the true sence of the Oath of

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Supremacy, which the Bishops, notwithstanding all the noise they make against Dissenters from their Church, will least subscribe unto; whereas most others of the Kings Subjects that refuse to own the *divine right* of Episcopal government, will willingly swear the Kings Supremacy in their Ecclesiastical Courts and Causes in the largest extent. And though that sort of ruling men use all endeavours to suggest the *disloyalty* of the said Dissenters, yet I doubt not but most *Puritans* in *England* would rather refer themselves to the Kings judgment, and stand or fall at his Tribunal, than at the Churches; and have generally found more *relief* from under the severities of Excommunication in the *Kings Courts*, than in the Ecclesiastical. Supposing that all Ecclesiastical proceedings in Spiritual Courts of Judicature, and the whole Fabrick of Church-government, as now it stands, is a *humane Polity*, as is not denied by the most ingenious, I know not why any *Puritan* or *Papist* should refuse for to take the Oath of Supremacy, for it is no more than to acknowledge the King to be supream Head and Governour in his own Courts; which is but *Reason*, *Justice*, and *Religion*, that he should be.

§ 13. But if Ecclesiastical Causes be understood of *disciplinary Controversies*, such as follow upon the execution of Laws, and administration of the Institutions of the Lord Jesus in the visible Gospel-churches; of such Ecclesiastical Causes it is not the Magistrates part to be the *determinating Judge* of: for, 1. To judge and determine a Cause in the Church of Christ, is to *judge Ecclesiastically*; and such an act of Judicature is *a Church-act*, which is always preceded by a *Church-Officer*, and no other, in *foro Ecclesiæ*; and if the agrieved party appeal, it must be to an Officer of the *same kind*, it's not to an Officer of another State. 2. He that is supream Judge of a Church-cause on Earth, must be an *Officer substituted by Christ*; for none can hold any Place or Office in the Church, but by *Subrogation* from Christ, much less the highest Authority: but none can shew that Christ hath *substituted* the Magistrate his *Church-Vicar* on Earth. 3. If the civil Magistrate be supream Head to the Church *Ecclesiastically*, then, because he was always so since Christ was on Earth, then there was times when Heathen Magistrates, in whose jurisdiction the Churches was, were his *Vicars*: and Christ himself, when on Earth, was subject *Ecclesiastically*, though Head of his Church, to *Heathen Church-Officers*; for he was no civil Magistrate, disclaim'd it, nor could be appeal'd unto as such. 4. If the civil Magistrate be supream Judge, he is the *supream Church-Officer*; for he cannot be

denied to be an Officer of that ſtate wherein he doth acts of Judicature as his right: And if a Church-Officer, then the civil State hath power to chuſe and conſtitute a Church-Officer, and that of the higheſt rank; for if he become a Church-Officer, his Calling and Conſtitution muſt needs be Civil, and not Eccleſiaſtical: So that the civil State hath the power of *Peter's Keys* both to diſpoſe of them and give them to whom ſhe will, and the Church cannot be entruſted with them; they muſt ſtill be kept in the *Magiſtrates pocket*. Hence it will follow, that Chriſt hath not left power enough in the Church for the management of *its own political affairs*, nor wiſdom enough for the determining *her own Controverſies*.

§ 14. *Seventhly*, No civil Magiſtrate can *impoſe Articles of Faith* on any of his Subjects, to be owned, ſubſcribed, or ſworn to by a Penal Law: for *quatenus a Magiſtrate* he is not an univerſal competent Judge; for it's not neceſſary that he ſhould be religious, underſtanding, ſound in his principles, becauſe he is a Magiſtrate. 1. If he can do it as a *Church-Officer*, we have ſhewed that Chriſt hath made no ſuch Officers in his Church. 2. If he were, Chriſt never empowered any Church-Officer to uſe a *Magiſtratical Sword*; he never put Temporal Crowns on their heads, nor Scepters into their hands: if any of them, out of ambition, have *got Miters and Crozier Staffs*, they had them from Antichriſt, and not from Chriſt. 3. He never ordained that force of Arms and Penal Laws ſhould be the way of propagating *his Faith*. 4. *Forced Faith* is neither pleaſing to Chriſt, nor profitable to us; for indeed it's no Faith at all. A force may lay hold of the Outward man, but it cannot make the Underſtanding to believe that which it ſees no reaſon for to believe, no more than the Senſes in the natural ſtate can be forced to own things to be contrary *Objects*; as the Eye to own white to be black, the Taſte to own that for ſweet which is bitter, &c.

§ 15. *Eighthly*, No civil Magiſtrate can impoſe *a form of the Worſhip* of God by a Penal Law. 1. Becauſe he cannot receive into the Church nor caſt out of it at his pleaſure. 2. If he could, then the Subjects *form of Worſhip* muſt be ſuch as the *Magiſtrates*; for if it be juſtifiable in one Magiſtrate to enforce his Subjects to a *form of divine Worſhip*, becauſe he thinks it beſt, then it's juſtifiable in another: If the Epiſcopal Magiſtrate may *jure* enforce his *form of divine Worſhip*, then the *Popiſh Magiſtrate* may enforce his form, and the *Preſbyterian Magiſtrate* his form, and an *Anabaptiſt* his form, and every form muſt become lawful and neceſſary to be practiſed, becauſe

the civil Magistrate commands it: for we must not suppose any one Magistrate, as such, to be more *infallible* than another; and so upon every change of the supream Magistrate of a differing Perswasion, the *Peace and Consciences* of the most religious people must be wracked and torn in pieces. Again, it's the most irrational thing in the world to force a man to serve his God in such a way as he *conscientiously* judgeth or supposeth to be displeasing unto him. Likewise if the form of Worship imposed by the Magistrate be pleasing to Christ, his imposition cannot, because there cannot be a readier way to the prophanation of the holiest things, than to force them to come to them that are not onely wicked and prophane in their lives, and corrupt in their hearts, but such as are professed Enemies unto them, and would have nothing to do with them, but to save themselves from the smart of Penal Laws; and the best of such persons that make a more plausible compliance, can be no Better than Hypocrites, that the Law being removed, their Religion would be dissolved.

§ 16. *Ninthly*, As the civil Magistrate cannot enforce his Subjects to *Particular forms* of real or supposed instituted Worship, so he cannot enforce them to *positive acts of moral divine Worship*. As 1. We finde no Precept or Example for forcing a poor Pagan to the Worship of the true God, and for whipping, imprisoning, or any other way afflicting his carcase by a Penal Law, because of his not worshipping the true God. To punish a poor Jew till he would acknowledge Christ and worship him, would seem hard. 2. And among such as do own the true God, the Magistrate cannot punish *omissions* or *refusals* of acts of positive Worship. As for instance in Prayer, the Magistrate cannot enforce a man to pray to his God, and punish him for not doing it. These are things, though sins, and that of the highest rank, yet such as God intended the Sword of *civil Justice* should never reach. There is in every Command of God a *prohibiting and prescribing part*: The sins against the prohibiting part, is the doing some act forbidden by the *Moral Law*, and here usually is the place for the *execution of a Penalty* by the hands of humane Justice. Punishable sins by man are commonly acts of *Commission*, and such acts must be *apparent*, not secret, brought before the Judge *per allegata & probata*, and they are usually *criminal* direct breaches, not *consequential*, dubious, and small. I know there lies an Objection against this; which is, That a Father may correct a childe for not doing his command; and so a Master a servant. *Answ.* It's

granted, and so will God punish the children of men for all omissions *of their duty: He that knew his masters will and did it not, should be beaten with many stripes.* Then there is a great difference between the constitution of a State-government and of a Family-government: In a Family a Father, being a natural Relation, hath (so far as his power goes) a more Arbitrary way for the management of it, as he can correct his childe upon his mere suspicions of evil in him, or refusal of good, without positive proof; so for omissions in not doing his duty; and so for servants: the reason is, because it's supposed children and servants are under tutorage as well as bare government, and therefore must be kept up to positive acts of duty, being under education of Parents and Masters. But it's not so with Subjects; they are subjected to a Magistrate for another end, *viz.* in order to the maintaining the due execution of *Commutative Justice*, and in case of the failure thereof, *of distributive*; and all things are to be brought before the Magistrate by evidence, of matter of mere *fact*, and *accessories* thereunto. God hath not required that Laws should be so *distinct and express* in a Family as in a State, the government of a Family being for the most part *discretionary*: if an eye be had chiefly to the general Rules of God's Word, though Omissions of some kind come under the cognizance of the Magistrate, it's principally in cases of commutative Justice, when such Omissions are injurious to our Neighbours right; but those are not reckoned criminals.

§ 17. Having had some short view of what we judge (upon good grounds) comes not under his *inspection* as a Magistrate, we would consider a little in the next place how *far a Magistrate may go in using his Magistratick Sword in matters of Religion.* We have shewed that matters of Religion, taken in a more limited sence of Faith and instituted Worship in the Church of Christ, are not within the circumference of the Magistrates Penal Laws. But if we understand matters of Religion in a larger sence, then we mean that all States and Societies of men ought in a *Christian Commonwealth* to be religious, *i.e.* the Moral Rules of Justice should be the *foundation* of all Justice administred in the *Church*, *Civil State*, and *Family*; and each of them ought to have a main respect to every branch of the Moral Law, and adjudge the breaches thereof to be sin, and each Polity to punish it according to its merit, so far as is allowed by the Charter of Jurisdiction from the Lord Jesus Christ. *Exempl. gra.* Suppose *Theft be the sin*, the Parent can correct his child *with the Rod*, the Church punish him with *a Censure*, and the State by some *Corporal*

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*Exemplary ſuffering.* Though the Tranſgreſſion be the ſame, and juſtly puniſhable in all, yet the *puniſhment is not of the ſame kinde*, but various under the different Juriſdictions.

§ 18. We ſay then, if religious matters be underſtood of that *moral goodneſs*, fundamentally neceſſary to all actions becoming a *Chriſtian Commonwealth*, then ſo far the Chriſtian Magiſtrate hath power more or leſs, ſo far as may conduce to the due maintaining of the *being or well-being* of a Chriſtian State; and therefore is to be *conſervator unriuſque Tabulæ*, he hath the conſervation of *the ſecond Table* committed to his care, that it may be a civil State; of the firſt, that it may be a Chriſtian State. And therefore as a Family is to preſerve the honour and juſtice of the Moral Law by an *Oeconomick Sanction*, and the Church by an *Eccleſiaſtick*, ſo the civil State by *Civil Sanction*; each according to their juſt derived Laws whereby they are reſpectively to govern, and diſtinctly to adminiſter.

§ 19. The great Queſtion here is, *How far the Magiſtrates power extends in the making and execution of Penal Statutes?* We have ſhewed that the Lord Jeſus hath not reſerved to himſelf ſo neer a propriety in the government of *civil States*, as of his Church; having taken it as his *peculiar Prerogative* to give Laws unto his Church: and preſides there as the only *Legiſlator*. But unto States he hath onely given them the *Magna Charta* of the Moral Law, and hath allowed unto them a *Legiſlative power* in all matters concerning the various Exigences and divers Requiſites, with attending Circumſtances in the due management of *State-juriſdiction*; ſo as the ſaid Laws are promoting of the common Peace and Juſtice of their Dominions, and deducible from and founded on the ſaid Rules of Diſtributive and Commutative Juſtice.

§ 20. The Laws of men that are *juſt and reaſonable*, may take place in all things conducing to the being and well-being of a *Chriſtian Commonwealth*, both as to the matters of the *firſt and ſecond Table*, ſo far as is neceſſary to the managing of it under the due qualifications of a *civil State*; and therefore may not onely puniſh crimes committed againſt the *ſecond Table*, but ſuch as are againſt the firſt alſo. And there are theſe eſpecially that they are concerned in: 1. *Blaſpheming of the true God*, under which is comprehended common profane ſwearing, tranſgreſſion eſpecially of the *third Command.* 2. *Worſhipping of falſe Gods*, a ſin againſt the firſt Commandment. 3. *Idolatry, or the worſhipping of God by Images*; a ſin againſt the ſecond Commandment. 4. *Prophanation of ſuch times as is by God*

*appro-*

*appropriated to himself for publick Worship*; a sin against the fourth. So that these are palpable as to matter of fact, clear as to the nature of the offence, and of dangerous consequences, tending to the eminent ruine and apparent danger *of a civil State.*

§ 21. In the concernments of the *second Table*, God hath left the civil Magistrate more Arbitrary in making or executing civil Laws, as the necessity of the *State doth require*, laying the general Rules of Moral Justice, and the particular and relative benefit of the Commonwealth and Subject before his eyes. Now in the matters of the *first Table* (being the moral Rule of duty towards God) he onely requires the Magistrate to punish and restrain those Vices in this kind that are *notorious*, *infectious*, and *pestilent* to a Christian Commonwealth, in matters of natural Worship; reserving *instituted Worship*, built fundamentally on the same precepts, to another manner of dispensation, wherein the civil Magistrate is not to intermeddle as such, neither as to *Legislation*, *nor Execution* of Penalties, nor *deligation* of Officers.

§ 22. As *Murthers*, *Rapines*, *Adulteries*, *Perjuries*, &c. are destructive to Properties, Communities, and Relations, and so to all civility in a State where such Vices predominate, and are not generally suppressed by Justice, it cannot be denominated a civil State, but rather a Pagan Salvage nation. So, where *false Gods* are multiplied and worshipped, the *true God* is blasphemed openly and notoriously, and all times for *publick Worship* of him by his own appointment, prophaned publickly and generally: And such Vices not suppressed by Magistrates, such a State cannot be called a Christian civil State, but Heathenish, whatever moral Justice there is between man and man.

§ 23. Though all sins be alike breaches of Gods Law, yet none but those of a more *gross*, *external*, and *exemplary nature*, fall under the cognizance of mans Justice. The *Blasphemy*, *Prophaneness*, and *Concupiscence* of the heart, are not punishable by man; it must come to the Magistrate *per allegata & probata*, that such an one *blasphemed God*, *worshipped an Idol*, *prophaned the Name of God by swearing*, &c. and that openly, either in contempt of that God that is worshipped, or that Worship set up, or in order to the *delusion* and *seduction* of others: for it would seem very hard to break into the private houses or appartments of *Idolaters* that may dwell in the land, and proceed judicially against them for that Religion which they are peacibly retired to, without any endeavour to *publish* or *propagate* to the disturbance

ſturbance of the publick, or infection of others. But no Magiſtrate ought to ſuffer that God to be *openly blaſphemed*, which he worſhips: If Heathens in a falſe Worſhip are zealous upon this account, how much more ought Chriſtians? Though no Magiſtrate can enforce any Subject to worſhip his God, or ought to do it by a Penal Law, as hath been ſaid, yet he may *puniſh him for blaſpheming* him, or for *ſeducing any* from the Worſhip of the true God; yea, for *Apoſtatizing from the Worſhip* of the true God, after he hath owned it. Precepts and Preſidents, in the Old Teſtament, are pregnant to theſe purpoſes, which I need not enlarge on; thoſe that read the Scriptures are acquainted with them: But we finde no Precept nor Example for endeavouring to reduce a poor Heathen from bare Idolatry to the Worſhip of the true God, by *pecuniary Mulcts and corporal Puniſhments*; and I am ſure Chriſt never practiſed it nor commanded it in the New Teſtament.

§ 24. The great difficulty that yet attends this caſe (allowing the Magiſtrate a power, as ſuch, in ſome matters concerning our duty directly to Godward) what are *adequate and proportionate Penalties* in ſuch caſes as theſe: for the Magiſtrates power is always inſignificant, whatever the Law is, if there be not a *Penalty* annexed to it, and vigour in the *juſt execution* thereof. Now the Enquiry is, Of what *kind and degree of puniſhments* of ſuch Tranſgreſſions, ought to be? *Anſw.* I apprehend it is a hard thing to determine to all mens ſatisfaction; I know ſome have recourſe to the proceedings of the *Judicial Law*, which was but the reduction of the *Moral Law* into *Civil Practice* for the State of the Jews, and look upon them as binding to Chriſtian Magiſtrates. But I ſuppoſe the Judicial Laws to be rather preſidential onely, that Chriſtian Magiſtrates may take a meaſure thereby for the *degree of Penalty*, ſetting aſide their different Emergencies of State, and extraordinary caſes, when God would make one ſinner in a caſe exemplary to all ages, by his Prerogative and ſpecial Command; as in *Achans theft*, and the *prophanation of the Sabbath* by picking up of ſticks: And ſetting aſide much of the ſeverity which appeared in that more legal Diſpenſation, which was both *Typical* and *Temporal*, and much of it in ſpecial caſes, and by ſpecial command by God; It would be accounted very ſevere now to put a man to death for prophaning the Name of God, though it were by repeated acts of ſuch horrid curſing and ſwearing as is frequent now-a-dayes; or for *prophanation of the Sabbath*, &c. Then ſetting aſide the relation the *Judicial Law* had to the *Levitical*, and

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necessary dependance on it, which is ceased; and considering that our Judicial Laws cannot so much depend upon Evangelical instituted Worship, Christ having not so strictly tyed Church and State under a necessity of the same Emergencies as he did the *Jewish Oeconomies*; I conceive likewise the just proportionating of Penalties in this kind, ought to be done with great caution, and depends much on the Magistrates prudent management of the Helm of Government, for the safety and preservation of the *Christian State*; and Penalties cannot be positive and unalterable, because cases do so frequently differ in the aggravating circumstances.

§ 25. The Christian civil State ought to be very *neighbourly and cherishing* to the Ecclesiastical; and the civil Magistrate is to improve his Magistratick capacity to the utmost, for the interest of Christ's Church, and advantage of the Gospel. 1. By subordinating as much as is possible, all *State-interest* to the interest of Christ in his Church. 2. By giving all *possible encouragement* to the purer Worshippers of God, and to the embracers of the Christian Religion. 3. By *encouraging* the faithful preaching of the Gospel, and propagation thereof by able Ministers duely called thereto by the Church, and affording them external helps and supports in so doing. 4. By maintaining the Churches in the due execution of the Laws of Christ, and in the enjoyment of their Ecclesiastical and Civil Liberties, defending them from invasions and disturbances in Gods Worship, from the rage of professed Enemies, from tyrannizing usurping Imposers. 5. By being a nursing Father to the Church, both as *a Christian in an eminent capacity*, going before others in the exemplary practice of Piety, and calling upon all others of all ranks and degrees whatever, to discharge their places in *the fear of God*, as *Hezekiah and Jehoshaphat* did, 1 *Chron.* 29. 25, 26, 27, *&c.* 2 *Chron.* 19. 8, 9, 10. and as a Magistrate defending them by his power, as hath been said.

## CHAP. XVIII.

### *Of a Christians Duty, in case of Humane Laws, in matters religiously indifferent.*

§ 1. IN the next place it will be necessary to speak something to a Question of no less weight than any of the former: for

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(it is said) that though it should be granted that no power, Civil or Ecclesiastical, can (*Jure*) convert *Indifferencies in Worship into Necessities* by a Law, yet it is inquired in case any humane power shall frame so much to it self as to do it, Whether a *Christian is not bound to yield active Obedience unto the said Laws?* and those that affirm it, produce these Reasons to enforce it. 1. *That every one is bound to be subject to their highest powers*, Rom. 13. 1. 2. *That such Laws are not contrary to the Law of God*, because God hath nowhere declared himself against one part of the indifferency more than the other, but hath left both equally lawful to be practised according to the rules of discretion. And why may not the Church or *Magistrates discretion* binde a Christian to obedience to his command, as *most expedient*, the Church or Magistrate being better able to judge of an *Expediency* than a private Christian? 3. Because if in a thing indifferent the *least offensive* part is to be chosen, then surely that part which fulfils the Civil or Ecclesiastick Law, for it is a greater offence to offend the Church or Magistrate, or both, than to offend a particular private Christian, or company of Dissenters.

To the first I answer, by way of concession, That a Christian is so bound, as *Rom.* 13. 1. but 1. That place is to be understood *of Civil*, not Ecclesiastical powers, as the Context shews. 2. If it be understood of *Church-power*, as that *Heb.* 13. 17. *Obey them that have the rule over you*; it's to be understood of such, as Christ hath constituted Church-Officers; and of obedience to an Executive power committed to them, not of a new *assumed Legislative power* never allowed to them.

To the second I answer, That such Laws are contrary to the Word of God: for 1. *Essentially* they are contrary to the Word of God, it being the revealed Will of God in his Word, that they should be indifferencies, and remain so, not to be made otherwise by any Law: for where God hath allowed a Liberty or Latitude in the use of any Creatures or Actions, there to make or prescribe a religious limitation by a Law, is *absolutely unlawful, and directly contrary to the Word of God.* It's expres, *Acts* 10. 13, 14, 15. where *Peter*, though an Apostle, is charged not to put a religious difference where God hath sanctified things to our indifferent use, much less might he prohibit the Church from using any Creatures or Actions made by God indifferently holy: therefore when it's the Will of God that a thing be indifferent, it's contrary to the Will of God to impose it as necessary. 2. Such Laws are *circumstantially evil, and*

*contrary to the Word of God*, because they hinder the free use of *Christian discretion* where God would have it used; and, *Ergo*, hindreth an Ordinance of Christ. Besides, it necessarily *obligeth to evil*, whenas the expedient good is found by a Christian to be in that part of the Indifferency which is contrary to the humane Law: And besides, God having left both parts of the Indifferency equally lawful, and declared it so in his Word, for man to declare one part unlawful, or make it so by a Law, is to make a Declaration or law contrary to the Word of God. Neither may a Magistrate or Churches judgment binde a Christian to practise any further than it brings light with it: for no man must walk by an implicit Faith in the matters that concern the Worship of God, and the salvation of his Soul.

To *the third Alleg.* That part which fulfils the Civil or Ecclesiastical Law for *Will-worship*, is not the least offending part, but the most: for the yielding free active obedience to sinful Laws, is not onely sin in the *person obeying*, but the highest degree of scandal to the *person commanding*, it being the edification of him in sin; whereas the refusal of *active obedience* in such a case, is no offence given, but onely a just *cross of a perverse Judgment and Will*. Again, if any action be such as will offend justly the least of Christ's members, it must needs be contrary to Gods Word; and I may not grievingly or sinningly offend any of Gods children, that I may gratifie and fulfil the Will of man. We must rather chuse that part of the Indifferency which a weak Christian thinks (according to his best light from Gods Word) to be necessary, than the other part which Authority lays a stress upon by a Law: the reason is, because I must chuse *Suffering* rather than indanger *any Souls salvation in the least*. Now if I refuse active obedience to the Magistrate, I onely run the hazard *of suffering the penalty*, which it may be I can bear and comfort my self under; but in case I wrong a Soul by my action, I cannot free my self from sin, and am an occasion of anothers too; either of which are, but especially both, much heavier than the greatest suffering. Lastly, if I suffer the penalty of the Law, I both fulfil the Law, and save my Brother too.

§ 2. Now these Obstacles being removed out of the way, I proceed to determine the *Question*, *That in case any power Civil or Ecclesiastical, shall presume so far as to enact Laws in the concerns of divine Worship, so as to change Christian Indifferencies into Necessities, that a Christian is bound to refuse active obedience thereto.* And I make good this Assertion by the following Arguments.

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1. To yield such obedience is to serve God according *to the Will of Man*; but no Christian ought to serve God according *to the Will of Man*: *Ergo*. The *Major* is true, because it's a serving God in such a way as is devised by man, and to the obeyer is no other; for he in his conscience believes so, that *it is not the Will of God*. The *Minor* is true, because that is Will-Worship which is the product only of *mans Will*; *Gods Will* being the onely Rule of Gods Worship; and we must be sure of that Will in all matters of his Worship, or else we bring vain Oblations unto him.

2. The goodness determined by a *humane Law* for the sake of *mans Will*, ought not to be preferred before the goodness of Expediency determined (by a conscientious Christian) for God's sake: for such a *goodness of Expediency* is approved of by God, and the contrary to it *pro hic & nunc*, is unlawful: therefore from this closing with such goodness, we are not to be deterred by any humane Law: for an expediently necessary action, according to the Will of God, is to be of far more force with us, than an action made absolutely necessary by the Will of man. Yea, it is to do a thing contrary to the Will of God, to do that as necessary, which God hath revealed his Will concerning that we should always do in a way of Indifferency and Expediency, determinable by the judgment of discretion: for to do things by way of Necessity, and to do by way of Indifferency, is to act by way of Contrariety; and therefore to obey such Laws, is to act contrary to the Will of God.

3. To be brought under the *power* (*i. e.* a necessity by a Law) of any thing religiously indifferent, is unlawful, 1 *Cor.* 6. 12. but to be brought to constant active obedience to mans Law, commanding a necessary performance of an *indifferent action*, is to be brought under the power of a thing, *i. e.* into bondage, *i. e.* under a Yoke which Christ never put us under. Now Christ would not have us to make *our selves slaves* where he hath made *us free*.

4. A Christian is to use his *liberty purchased by Christ*, and *to stand fast in it*, *Ergo* to practise it constantly, notwithstanding all enslaving and embondaging Laws of men, and is bound to use his judgment in all his actions: and where there is an *Indifferency*, to chuse by the Rules of Expediency, and not walk by an *implicite Faith*. *The wise mans eyes are in his head*; *the fool walketh in darkness*.

5. Such active obedience is a *betraying the Prerogative of Christ*: for if a Legislative power be Christ's Prerogative, as hath been proved, then the yielding active obedience to an usurping Law, is the

doing Homage to another Lawgiver in that kind, and giving up the power of the Lord Jesus. It's like a Subjects introducing the power of a *forreign Prince*, and doing all that lies in him to subvert that Law and Soveraignty to which he is naturally related; and what can be greater Treason to any State?

2. If a Christian here obey, it must be for *Christ's sake*, or Conscience sake. Now 1. It cannot be for *Christ's sake*, because it robs him of his Prerogative, or betrays it; neither can it be for *Conscience sake*, to embondage it self where Christ hath left it free: whatever tends to the captivity or slavery of Conscience, is not for the good of Conscience; for in this they are not Ministers to me for good, for the Law tends not to my good in active obedience; which if I see, and yet yield, I become a Minister of evil to my self.

2. If it be a sin in the supream Powers to *command and impose* their said Lawes, it is a sin in a Christian *to obey*; *at. Ergo.* The consequence is manifest, because the most formal reason *of an evil Law, is the evil obedience required.* The *Minor* hath been proved, that such a Law is sin in Superiours to make: but *to confirm the consequence* further, to be a copartner with another in sin, is sin; but if the Magistrate command, and I obey, *I am copartner with him.* Nothing commanded can be evil but two ways; either *materially, or circumstantially*: if it be materially evil, there is no pretence for doing it, whatever *humane power command*; and if it be *circumstantially*, it must be in the Commanders usurping a false power, or there is some circumstantial *relation pro hic & nunc*, that makes it unlawfull unto me or another. It may be the thing may be *materially lawfull*, but under both these sorts of circumstances, it may be unlawful, as that I give away heighty Christ's Prerogative, rob my self of the use of *my judgment of discretion*, by which every Christian is to walk, and I (it may be) offend my brother. I do not say a man may never do that part of the *Indifferency that is commanded in humane Law*; a Christian hath the use of his liberty as well after as before a *humane Law*, and he is to walk by the Rule of Expediency still. When he finds it most for Gods glory, and his or anothers edification, he may take that part of the *Indifferency* which is commanded, *sic non ratione præcepti humani*, but from that Expedient or convenient Goodness which *pro hic & nunc* he finds in it. But that obedience which we here declare against, is the doing it as a *duty constantly or conscientiously*, *sub pœnâ reatûs*, by virtue of such a Law.

3. A Christian cannot yield the aforesaid obedience, but he must

offer *violence to his Conscience*, i. e. practically to contradict the dictates and light thereof; for every moral action must be *approved or reprobated* thereby. But he must needs know that that which is not commanded, or approved by Christ (as indifferent things are, though not commanded by him) in the matters of his Worship, (no others approbation being enough to justifie my actions, and therefore to satisfie my Conscience) is but *Invention*, and therefore *vain Worship*, and *Ergo*, rejected by Christ, and sinful, *Mat.* 15. 9. Now that which a Christian is perswaded of to be thus in his own Conscience, and yet doth, he offers manifest *violence to his Conscience in doing*.

9. If such Compulsions do by *Rules of Expediency* necessarily require a man to refuse active obedience, then it's a *duty* at least sometimes *to refuse*; but *Ergo*. The Minor is proved beyond all controversie, from *Paul's* Doctrine and practice concerning the use of Circumcision, *Gal.* 2. 5. & *Coloss.* 2. 19, 20, 21, 22.

## CHAP. XIX.

### *Of Humane Constitutions in the Worship of God, besides the Word.*

§. 1. THe usual grand Evasion of what hath been said, That although the Church cannot make Laws contrary to the Word, yet she may make *Laws besides the Word*, i. e. new Laws which Christ never made: and if she make such Laws which are not contrary to the Word, (i. e. *directly and materially*) she is to be obeyed by every conscientious Christian. For Answer, I premise these things.

1. All Laws for *divine Worship* are enacted by Christ, or not: if enacted, we question not the obeying of them; if not, let any one shew by virtue of what divine Authority we must obey them, for we cannot obey them without.

2. As Christ never deputed any humane Legislative Authority in his Church, so he never allowed any *to revise and correct* his Laws by adding to their penalties, and making them more severe, and giving such express and *explicite Authority*, which he hath left *implicite and consequentially onely*; and more things *more necessary*, which he hath

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left less; Christ blamed the Pharisees for so doing, and not allowed any Churches or Christians so to do.

3. It would be grosly impudent if the Church should *pretend* to a power of making Laws *contrary to the Word of God*, though they should be so; therefore they cannot pretend to this Law-making power in any thing but what she saith is in it self indifferent; therefore she can pretend onely to the making a *new additional* Law for Christ, such as he never made, and for and in such things which he thought best in his wisdom to leave indifferent. But the Church finds a *mistake* in that first Constitution, and thinks best to make such things necessary; thinks that Christ left *too few ceremonies* and *significant signes*; and therefore enacts more Laws besides the Word, not contrary to what he hath enacted and established already.

2. But I shall now prove that *all humane Laws and Constitutions in matters of divine Worship, besides the Word, are contrary to the Word.*

1. That which is not the *revealed Will of God* for his Worship in his Word, *is contrary to the Word of God*; but humane Constitutions and Laws for divine Worship, are not the *revealed Will of God* in his Word: *Ergo.* The *Major is true*, because the Word is the revealed Will of God; and that Rule of Worship which is not the revealed Will of God, is contrary to the revealed Will of God for his Worship; for *Revealed and not Revealed, are contradicentia*, as *justum & non justum*, *honestum & non honestum*; and *contradicentia* will never be denied (by any good Logicians) to be *contraria*: therefore the *revealed Will of God* in his Word, and not the *revealed Will of God* in his Word, are contraries, or there is no contraries in the world. The Minor carries *its evidence* from the very terms; for *what is beside the Word*, is *beside the Will of God* in the Word, and not to be found there; for whatever is found to be the Will of God in the Word, *positively* or *consequentially*, so obligeth as a Law of God to obedience, according to the true intent and meaning thereof.

2. Whatever be humane Laws for the Worship of God besides the Word, are at the best *but the Will of man*, that those things should be necessary in the Worship of God, which Christ hath willed indifferent, and revealed in his Word so to be; but for man to *will those things to be necessary in the Worship of God, which Christ hath willed and revealed in his Word to be indifferent*, is to will or make a Law *contrary to the revealed Will* of Christ in his Word, *i. e.* for the matter of the Law; for *necessary and indifferent are adversa*, and therefore also *contraria*: if the oppolites be *necessary and not necessary, they are contradicentia*, and they are *contraria* as before.

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3. Whatever is not according to the *Will of God in the Word*, is *contrary* to the *Will of God in his Word*; but all such *humane Laws* besides the Word, *are not according* to the Word: *Ergo*. The *Major* is true, because all actions are *agreeable to the Word by being according to the Word*, and *disagreeing* by not being according to the Word; and so *are contrary to the Word*, and are really *contradicentia*: for *according to*, and *not according to*, referring to the same subject, are *contradicentia*, every action being according or not according, and so contrary or not contrary to the Word of God. *Minor*: I prove such Laws besides the Word are not according to the Word; the meaning (of besides the Word) is, that there is *no ground for it in the Word*, and therefore that cannot be according to the Rule laid down in the Word; for that were to be built upon and to be justified by it: a man cannot *sit upon a seat and sit besides it* at the same time; the same water poured cannot fall *in the Cup* and *besides it* too: whatever Law cannot claim *a Sanction from the Word*, is not according to it, *therefore besides it*, or against it; as Christ saith, Whoever is not for me, is against me. The Word doth either *justifie* or *condemn* all actions; and those Laws that are not *justified* at least *by Christ's approbation*, are condemned by the Word of God.

§ 3. 4. Whatever is contrary to the *Legislative Prerogative* of Christ maintained in his Word, is contrary to the Word; but such humane Laws and Constitutions besides the Word, are contrary to the *Legislative Prerogative* of Christ: *Ergo*. The *Major* is clear, because *every truth* maintained and defended by the Word, *is the Word*; and whatever is *contrary to that truth*, is contrary to the truth of the Word. And what truth is more clearly attested, and firmly ratified, than this *Prerogative of Christ?* The *Minor* is clear, because nothing can *detract* more than a *Usurpation* in this kind: What can detract more from the Legislative power of King and Parliament, than for a Corporation or any inferiour combination of men, to *assume* this power to themselves?

5. *To adde any thing* to the revealed Will of Christ, in matters of spiritual concern, is contrary to the *Word of the Old and New Testaments*, *Deut.* 4. 1, 2. *Rev.* 22. 18. but to make such Laws, is to adde, &c. because such Laws (by our supposition) being *besides the Word*, we have proved to be no *parts of it*; and *Ergo*, *additions to his Laws* and institutions in the Word, which are perfect and entire in themselves for Doctrine and Discipline *in divine Service and Worship*; and these Laws of humane enaction (whatever pretences are put upon them)

them) being for the same end and use, must needs be additional. And to teach for Doctrines the commands of men, is contrary to the Word of Christ, but all humane Constitutions of this kind specified besides the Word, are but Commands of men taught for Doctrines. The Major is true and undeniable, from *Mat.* 15. 9. where such Doctrines and Commands are charged by Christ for the intolerable sin of the Pharisees. Compare with this place that in the Old Testament, quoted and applied to them by our Saviour, *Isai.* 29. 14. *Their fear towards me is taught by the precepts of men*, for which our Saviour (the best Interpreter of Scripture) saith, *In vain do they worship me*; producing this from the Prophet, *Their fear is taught by the Commandments of men*; not but that they observed also *Moses* his Commands, but because they set up their Posts with Gods, their Laws with Gods Laws: and this is that which Christ condemns. This Argument is cleared, and fully prosecuted by another very lately, (in a learned Exerc. on *Mat.* 15. 9. and *Mark* 9. 13.) *And therefore I shall not inlum agere.* As *to the Minor*, it's evident that such Legislators teach for Doctrine their own Laws, for they press them *doctrinally* on the people, and charge it as *their duty* to walk in the practice of active obedience unto such Laws, and condemn all such as refuse such obedience (upon any pretence whatsoever) as disobedient to Governours, and Schismaticks.

## CHAP. XX.

### *Of the United Power Legislative of Church and Civil State.*

§ 1. IF it should be replied to our preceding Discourse, That although the *civil Magistrate* cannot of himself be a competent Compiler or Establisher of *Ecclesiastical Laws*, *Canons*, or *Constitutions*, unless they be first *compiled*, *approved*, *and propounded* by the Church to the Magistrate, to compleat their Sanction and Law-ratification *with the impress* of his Authority; yet the Church and civil Magistrate *both together*, have a *complete Legislative power* in Ecclesiastical Affairs. The Church is supposed to act by its *Representatives* in a *Convocation*, *Assembly of Divines*, or *Synod*, or *Council*, lawfully assembled by the call of the Magistrate. The *Question* is, *Whether after they have agreed on Ecclesiastical Canons and Constitutions*, the

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*civil Magistrate may give Sanction to them, by making them Penal Statutes?* The Question in brief is, *Whether Ecclesiastical Laws may become Penal Statutes by Magistratick Sanction?*

§ 2. In order to the right resolving of this *Question*, it's fit to enquire first concerning the nature or *subject-matter* of the said Canons and Constitutions, whether the *Composers* and *Proposers* thereof do believe them to consist of such things as Christ hath left *indifferent*, and they would have to be *necessary?* or do they consist of such things as they have by *disquisition* found to be necessary by virtue of the Will of Christ? for the end of such Assemblies is to confer about the Will of Christ in the *great and weightier* matters of the Church, for the clearing up of what is dark and dubious before. Now if the mind of Christ be discovered, there needs no more *Sanction*; where *the word of a King is, there is power.* Make it but out by the *clearest demonstrations*, that this or that is the mind of Christ, there needs none of the *Magistrates penalties* to be annexed; it hath force enough of it self to *reach the Conscience*, which is the end of Christ's Laws, and to charge guilt upon it in case of disobedience; and that is more than all *the Penal Laws* of men can do. It's needful to enquire whether the *Magistrates Sanction* be by way of *approbation* onely, or by way of *eminent commendation* of the said Laws to his Subject; not annexing or executing *any Penalty* himself, but allowing onely some *spiritual Penalty* annexed by Christ or his Church, to be executed by Church-Officers? or whether he will annex or cause to be executed any *external Penalty* by his civil Officers, as occasion shall serve? The matter being thus stated, I proceed in the Negative.

§ 3. 1. We have abundantly evidenced, that in the matters of Indifferencies in Religion, no *power on Earth* may make any Laws, changing them into things *religiously necessary.* 2. Where did Christ ever joyn Magistrates and Ministers together *in joynt Commission* in the government of his Church? 3. If so, why may not Magistrates joyn in the *judicial proceedings* of the Church, and sit as *due Judges* in all Spiritual Courts, and excommunicate and absolve? He that hath a share in *Legislation*, may reserve to himself the *executive part* at his own pleasure. 4. If such *Church-Laws* are invalid without the Magistrates Sanction, then he hath a *negative voice* over the Church to stop any Church-proceedings in Legislation or Execution; and indeed it's happy for some people that it is so, else the *Clergie* (that call themselves the Church) would make mad work, were

not the civil State wiser and more moderate, and by its power able to put a stop sometimes to their *mad Carreers*. 5. The Decrees of the *Apostles*, *Elders*, and *Brethren* (being only a declaration of the mind of Christ in a difficult case) became a Law to the Churches, without any such *Magistatick ratification*, or *annexation of Penalty*. 6. Christ never annexed any *corporal* or *estate-Penalties* to any of his Laws that he setled his Church with at the first. 7. Christ provided so for the *due government* of his Churches, that nothing might be wanting for the administration of Government and Ordinances, in the worst of times, when most persecuted and opposed by those Magistrates in whose Dominions they did *militate*. The Church of Christ would be but in a very *weak* and *lame condition* in most Kingdoms and Ages, if the Magistrates countenance and concurrence were an *Essential Complement* of its due state of Ecclesiastick government; and that can never be accounted a right *Model* of Church-government, that cannot be *erected* without the Kings and Princes of the Earth set their hands to it: For if it were so, Christ should have few *duely* govern'd Churches on Earth, that sort of men being oftner found *pulling down* than setting up the Kingdom of Christ. Lastly, we having already proved that neither Church-Officers nor Civil have any *Legislative power* in the said matters, and therefore being put together, they are but as two *Cyphers* that make not so much as an *Unite*: for *ex nihilo nihil fit*, and therefore I need not enlarge any further on this matter.

## CHAP. XXI.

### *Of Decency and Order in God's Worship, and Canonical Obedience.*

§ 1. THe great Plea that is made for the Magistrates and Churches *Legislative power in Spirituals*, is, that there might be *Decency and Order* in the Church, which is most meet to be, especially because Christ hath advised it (and his Advice hath the force of a Command in it) 1 *Cor.* 14. 40. Πάντα ἐυσχημόνως καὶ κατὰ τάξιν γινέσθω. The Apostles designe in this Chapter, is to exort to love and peace, as appears from *vers.* 1, and 33. and that he may effect it, he reproves several things amiss in the Church of *Corinth*: 1. Their *Prophesying in strange Tongues*. 2. Their *speaking so many together*. 3. The *immodest*

*modeſt boldneſs of women to preſume to ſpeak in the Church.* 4. Their *Pride, being puffed up with their gifts*, &c. For Remedies he adviſeth in general, 1. That all things be done *to edification*, verſ. 26. 2. That all things be done with *decency and order*. 3. In particular, how and what things are to be done ſo to attain theſe ends. Firſt, ſpeaking with Tongues ſhould be *with interpretation*, verſ. 27, 28. Secondly, *Propheſying* ſhould be *one by one*, with ſubmiſſion to the judgments of the Church, *verſ.* 30, 31, 32, 33. 4. That the *women* ſhould neither *uſe Tongues*, nor *propheſie, but be ſilent* in the Church, *verſ.* 34. Now leſt this reprehenſion ſhould be a diſcouragement to them from ſtriving after the beſt Gifts, and improvement of them, he would have them to underſtand, that his deſigne was onely to rectifie Diſorders, not to ſuppreſs or diſcourage from their *Exerciſe of Gifts*, that might be to Edification: and therefore ſaith, *verſ.* 39. *Covet to propheſie*, or be zealous for propheſying, as the word is, (ſuppoſing it a very profitable Exercife in the Church) and *forbid not to ſpeak with Tongues* (that being an extraordinary Gift among their Primitive Diſciples, for the propagation of the Goſpel) but let that be exerciſed alſo. The things in themſelves are *materially good*, but your way of managing them is not good, there is ſo much confuſion and unſeemlineſs attends it: therefore do the things, but be careful that they be done with *Decency and Order* for the preſent. And now behold here is the Text that the whole *Babel* of ceremonious traſh is built upon by the abuſive Interpretations both of *Papiſts* and *Proteſtants*; and therefore let us examine a little, whether there be ſo much in it to give countenance to the *endleſs Inventions* and *Superſtitions* of the ſons of men in the Worſhip of God.

§ 2. We ſhall firſt open the words, that things may be the clearer: εὐσχημόνως [*H. Stev. compoſitè, decenter, honeſtè*] It's rendred onely *decently* in this place; it's uſed in two other places, where it's rendered *honeſtly*, *Rom.* 13. 13. 1 *Theſſ.* 4. 12. and εὐσχημοσύνη, 1 *Cor.* 12. 23. is aptly rendered *Decor, Comelineſs*. Εὐσχήμων the adj. is read by *H. St. Honeſtus, Decens*, *Mark* 15. 43. Honourable. *Joſeph* of *Arimathea* (is ſaid to be) an *honourable Counſellour*; and *Acts* 13. 50. *ch.* 17. 20. *Trem. honourable*: but 1 *Cor.* 7. 35. πρὸς τὸ εὐσχήμον, I ſpeak for---that which is *decent or comely*, &c. 1 *Cor.* 12. 24. *our comely parts*. So that the ſence of the Text ſeems to be, *Let all things be done with ſuch a comelineſs as is honourably beſeeming the Goſpel*, or that ſeemly *Reverence* that becomes the Aſſemblies of the Saints. *Tremelius*'s Interpretation ſeems much adapted to the Context, *cum modeſtiâ*, in oppoſition,

to *womens immodeſt* boldneſs in preſuming to ſpeak in publick, and in oppoſition to that pride and confidence that abounded among them in the *exerciſing* of their Gifts. Let things be done with modeſty: Wherefore the Decency here meant, may ſignifie theſe three things in the Worſhip of God: 1. A Comelineſs; 2. A Reverence; 3. Modeſty.

§ 3. Και τὰξιν φυλάξω, *Secundum ordinem fiant*; the Word is but in the ſignification here given onely: it's ſometimes taken for an *Office-Order, as an Office of Prieſthood*, Heb. 5. 6. & 5. 10. *Luke* 1. 8. *Heb.* 7. 11. but we have nothing to do with the Word in that ſence here; the acceptation here is of ſuch *Order* as is oppoſed to *Confuſion*, in which ſence it's uſed, *Coloſſ.* 2. 5. βλέπων ὑμῶν τὴν τάξιν, The Apoſtle would have them exerciſe Gifts, adminiſter Sacraments, and do all things in the Church in *the due place* and *ſeaſon*, that one Ordinance might not hinder the edification of another, and nothing might be done *confuſedly*; they might *ſpeak all one by one*, and *the ſpirit of the Prophets ſubject to the Prophets*. He would not have Church-Aſſemblies to be *tumultuous*, by many preaching, reading, or praying audibly together, (for all may be underſtood here of propheſying) as it's the cuſtom in ſome Churches; but there ſhould be but one at a time ſpeaking in the Congregation, and not that any one might ſtart up (as the Quakers do) and ſpeak at pleaſure to interrupt one another; but the *ſpirit of the Prophets ſhould be ſubject to the Prophets*. Let every one ſpeak as he is appointed and approved of by the *Church-Officers*.

§ 4. Hence we may gather, that *Decency* is a neceſſary external part of God's Worſhip, conſiſting in a *reverend deportment* and comely management of the Ordinances of Chriſt, as becomes the Goſpel. 1. It's *externally* oppoſed to the inward Worſhip of the heart, a great part of that which is called a *form of Godlineſs*. 2. It's an *external neceſſary part*; there are internal Neceſſaries, and external: I do not ſay it's an *eſſential part* of God's Worſhip, but it's a neceſſary Accidental, it belonging to it in its kind, by *virtue of a Law* of Chriſt; and all things (we have ſhewed) commanded by him, *are neceſſary*: therefore this Decency is no Indifferency, and determinable by *any humane Law*. 3. *Conſiſting in a reverend Deportment*, i. e. ſuch an one as is *morally requiſite*, as ſignes to expreſs Holineſs, awful apprehenſions of God, Humility, Modeſty, *&c.* for *moral Vertue or Grace* ought to be viſible and manifeſt in our external geſtures and behaviours. Hence the behaviour here mentioned, is oppoſed to all *irreverent*,

*verent*, *immodeſt*, *unnatural*, *idolatrous geſture* in God's Worſhip; all ſuch as either denote prophaneneſs of our hearts, diſreſpect of God's Preſence or Ordinances, or alienation of heart, or wandring of ſpirits.

§ 5. Things done *according to Order*, is according to beſt underſtanding of the ordination and appointment of Jeſus Chriſt, from that place *Coloſſ.* 2. 5. χαίρων καὶ βλέπων ὑμῶν τὴν τάξιν, καὶ τὸ στερέωμα τῆς εἰς Χριστὸν πίστεως ὑμῶν, rejoycing in ſeeing your Order (to which the following words ſeem *exegetical*) and your firmneſs of the Faith towards Chriſt; if the Conjunction be *Copulative*, making the parts contradiſtinct, its rejoycing to ſee your *ſtability* of Faith in your cloſing with Chriſt and your Order, *i. e.* in walking in all his Commandments according to the Rule that he hath given: for the whole of a Chriſtian is comprized in Faith and Order; and therefore doing things κατὰ τάξιν, is κατὰ τὸ μέτρον, τοῦ κανόνος ὃ ἐμέρισεν ἡμῖν ὁ θεὸς μέτρου, 2 *Cor.* 10. 13. according to the *meaſure of the Rule or Canon* which God hath meaſured or diſtributed to us. The word is Canon; the ſame word is *Gal.* 6. 16. *Philip.* 3. 16. and in both places ſignifies the Rule of the Goſpel by which we are to walk. In *Gal.* 6. he ſpeaks in the verſe before of *indifferent things*; *Circumciſion availeth nothing, nor uncircumciſion, but the new creature*; and *as many as walketh according to this Rule*, What Rule is that? It's this; To put no ſtreſs on *things indifferent*, but upon thoſe that Chriſt hath made *neceſſary* to ſalvation for preſerving the life of the *new Creature*. So in *Phil.* 3. 16. ſo far as *we have attained*, τῷ αὐτῷ στοιχεῖν κανόνι, where it's to be underſtood of the one Rule of the Goſpel, or *Syſtem* of Rules in things neceſſary for our practice, by the ſpecial appointment of Chriſt; and ſo far as Chriſtians have attained to the knowledge of this *Canon*, we are to walk. Whence I gather, that walking *according to Order*, is in the practice of *Canonical Obedience* to the Rules of the Goſpel; that is, in a due ſubmiſſion to and practice of all the *Ordinances* of the Goſpel, without *diſtraction and confuſion*; God being the God of Order, and not of Confuſion.

§ 6. *Decency and Order* is either *Civil* or *Religious*: by *Civil* I mean ſuch as are of civil uſe merely, or ſuch rites and modes of action as are uſed in *civil affairs*. Though theſe may have a moral and therefore religious foundation, yet their Objects, Intendments, and Circumſtances, being chiefly Civil, and the moral foundation from the ſecond Table, we call them Civil, and diſtinguiſh them from religious Decencies: And theſe are ſuch as have their founda-

tion

tion on the first Table, and have *God* for their Object *immediately*, and manifest End, being ordained for spiritual intendments and purposes; and therefore *external Notes* of *internal* seriousness, reverence, and consideration of God's Presence, Honour, and Worship, according as revealed and required of us in the *Canon* of his holy Word. And though the mode and order of Actions and Gestures may be the same *materially* that we use in *civil Decencies* and *Order*, yet the *appropriation* being to contradistinct Objects, and their purport and designe of the said Actions and Modes thereof, they are justly reputed of another nature, and receive *contradistinct Denominations*.

§ 7. *Religious Decency and Order* is either of *merely Moral*, or of *instituted Original*. Moral (and therefore called Natural) and instituted Worship, are usually and aptly opposed; for such as are of *Moral Original*, are comprehended in, or directly deducible from the precepts of the Moral Law, as all reverent and humble gestures of the Creature before the Creator, such as *standing*, *kneeling*, *prostration*, &c. which for the most part are onely generally propounded so far as they may hold forth a *proportionate* external indication of the solemnity of our Undertakings; neither may they become any more *definite* by mans Law, than God himself hath determied. As for Example: No man can make a Law to tye us up to any particular gesture in Prayer, as to kneeling, standing, *&c.* because God hath left it indifferent to a Christians election to govern himself by the Rules of *Expediency*, so he have a respect to the general Obligation, *viz.* that it be such as is *reverent*, and becoming our attendance on God in such an Ordinance.

§ 8. *Decencies and Order* belonging to *instituted Worship*, are separable from merely *moral Worship*, and required by some more special Commandment of Christ in the *disciplining of his Church*; and they differ as the *Oeconomy* of the Church doth. The *Levitical Oeconomy* made Levitical Decencies and Order necessary, in mode and manner of the Jewish Worship then required in those of *Offerings*, *Sacrifices*, *Buildings*, *Gestures*, *Vestures*, *Washings*; all which, as shadows, vanished, and were actually abolished, with the whole substance of the Ceremonial Law, when the Body approached: And therefore to introduce into Gospel-worship, Modes proportionate and adapted to *Mosaical* Services, *viz.* *Priests*, *Ephods*, *Altars*, *Sacrifices*, &c. is contrary to the revealed Will of Christ, and an implicite denial of his being come in the Flesh.

§ 9. The *Levitical Oeconomy*, with all its Appendixes, being abolished, the

the *Evangelical* takes place; which are determined by the Law of Christ, as to the more and less substantial parts of Worship. And that we may be distinct about Gospel-*Decencies and Order*, we must know, 1. That all merely *moral Decencies* are in force under the Gospel, and needs no other Law to ratifie them than the *Law of Christ*, which hath always continued the moral Law, and its due circumstantial Attendments under *all changes* of instituted Worship. 2. All *Levitical Decencies and Order* are abolished by Christ's coming, when his *Ecclesiastical Oeconomy* was changed. 3. All *Evangelical Decencies and Order*, as womens being covered and keeping silence in publick Assemblies, and such as concern the Word and Sacraments, are sufficiently determined by Christ, by the precepts or practice of himself, Apostles, and Primitive Church, that we need not betake our selves to *Rome* or any other pretended *Law-making Church*, to fetch new Prescriptions in order to the compleating of the Worship of Christ. And whereas present Innovations of our Pretenders are pleaded for from the *Primitive practice*, I say no more but this, that when the Evidence of that *Practice* appears from God's Word, we will not scruple the imitation; but being imposed upon us by Tradition, mostly through *Antichristian hands*, or at best by very *fallible* and inconsistent History; and if in many things true as to matter of fact, yet we finde them not justified by *Sacred Authority*, we dare not assent and consent unto them.

§ 10. Now if the Church knows of any more Decencies and Orders needful to be used under the New Testament, and those that are of *moral intent confirmed by Christ*, or *Evangelical* of his last Institution, then let her plead and use her *Legislative power* (if she have any *jure*) in establishing the same: and if any shall or doth think notwithstadding, that it's needful to establish *new decencies* of humane invention by Church-Laws, we shall still proceed further to evince the contrary.

§ 11. If *decency and order* be strained to the largest acceptation in the New Testament's sence, they cannot be pretended to be any other than *Evangelical decency and order*, comprehending all moral and instituted decency and order which Christ hath appointed to be used in his Gospel-Church; else how should it come to be so? for that onely is Evangelical which *Christ makes so*, and calls so; every mimical Gesture and antick Vesture that any brainsick Church-man, or carnal Priests and Prelates, or any Convention of them shall devise, and christen with the name of Decency and Order, is not *E-*

*van-*

*vangelical.* The Rules and Forms of Worship and Discipline which Christ hath left to his Church, are *comely, grave, decent,* and *orderly* enough, without any additaments and amendments proceeding from mens corrupt fancy and interest.

§ 12. And that it's not lawful for the Church *to make Laws* to establish more decencies in the Worship of God than Christ hath appointed or allowed, we have proved already; if they undergo the lowest consideration as matters of Indifferency, I shall onely adde a few words more.

§ 13. *First,* If it be lawful for the Church to annex *new decencies* and order to the decencies and order appointed by Christ, then these must be *necessary or unnecessary*; but it's not lawful, *Ergo.* 1. It's not lawful to annex *unnecessary*: for this were to trifle, and would infer the greatest absurdities imaginary; therefore none will insist upon that. 2. Not to annex any thing necessary: for they must then judge something *necessary* which Christ hath not declared so, (as something belonging to the *esse* or *bene esse* of the Church;) and this were a high affront to Christ, and *impeachment* of his wisdom, as not perfect and compleat in his House; as likewise it's implicitely to condemn Christ's Worship and Ordinances (as left by him) for *undecent* and *disorderly*, and so naked and unfit to come to publick view, till they be *anew dressed up and trimed* by the Church in her Poppet-play Robes and Attire.

§ 14. *Secondly,* And then she might re-establish any *old abſolete Jewish decencies*, so she use them *Evangelically*, upon as good or better ground than she hath brought in Heathenish practices into use in the Church. *Thirdly, Decency and Order* in the Church, is no *Indifferency*, but *necessary* in its kind (as hath been shewed) because commanded and enjoyned by Christ; and *Ergo*, if the Church hath power to enact Laws in matters of *Indifferency*, it follows not that she hath power to do the like in matters of *Deceney and Order*, because they are not *indifferent things*, but *necessary*, if we understand either *Moral* or *Evangelical decency and order.*

§ 15. It is fallacious and false to assert that the Church prescribes onely *decencies* in the Worship of God; for they are the smallest part of her Ceremonies: for what are Holy-days, Cross in Baptism, Musick in Divine Service? And besides, most or all her Ceremonies respect other Objects, and are for other *significancy* and ends, than for *decency*; some being chiefly *gratiâ divinâ*, as all *reverential Gestures* and *Postures*, viz. *bowing at the Name of Jesus, bowing to the Altar,*

*kneeling*

*kneeling at the Sacrament, ſtanding up at the Goſpel.* Theſe are ſignes of divine honour, and Latrical, and can be no otherwiſe underſtood than reſpecting a Divinity: and therefore there can be no pretence to call it civil Worſhip, becauſe in all *civil Worſhip man is the Object*; and were the ſame or like actions, which for the matter are neither civil or divine, but indifferent as to both, but a peculiar Adaptation to a *ſingular end or object*, they receive their *diſtinct denomination* therefrom. Some are chiefly *gratiâ humanâ*, in order to the due preparing and qualifying us for *Spiritual Services*; *Surplices* to make us *appear more pure, & an Emblem of Purity*, and mind us of it; Muſick to raiſe the Spirits: and others more mixt in their intention, *tàm gratiâ divinâ, quàm humanâ*, as *Saints days*, wherein God is bleſſed for Saints, whereby God is honoured and the Saint too; the *Croſs in Baptiſm*, and the Ring in Matrimony; which are Seals of obligation religiouſly made uſe of, (therefore more than ſignificant ſignes) and can be no leſs than *Sacraments*. There are alſo divers *Reſponſes* and *Salutations* betwixt Miniſters and People; in all which it's eaſie to perceive that there is ſome weightier matters reſpected than meer *civil decencies and order*, whatever pretences are made to the contrary.

§ 16. We have before hinted what we apprehend true *canonical obedience* to be, *viz.* that it's not a ſubmiſſion to a *certain body* of Laws made by any Church challenging a *Legiſlative power*, neither to thoſe feigned *Canons* of the Apoſtles; but it is obedience to the *Canons or Rules* of Goſpel-communion laid down in the Scriptures: thoſe that are acquainted with the true Churches of Chriſt, know no other *Canons*, nor no other *canonical Obedience* they are obliged unto. Now thoſe that call for *canonical obedience* (under that term) they tell us that it is *obedience* to the Laws, Rules, and Conſtitutions of the Church; but I could never rightly underſtand any reaſon for their plea from the Church, *viz.* of the authority pleaded for: for if it be a *National Church* that requires the ſaid obedience, we ſay, 1. That that *Church* cannot pretend to challenge obedience, that is not capacitated to make or execute any Law; but the *National* is not: *Ergo.* The Minor appears, in that there is no ſuch thing as a *National organized Church* conſtituted by Chriſt under the Goſpel; for if there were, there muſt be *National Officers* and *Ordinances* by the ſame appointment: but Chriſt hath conſtituted no National Officers, *i. e.* whoſe Office-power in the Church is of ſuch extent; nor no *National Ordinances*, i. e. ſuch Ordinances that the whole Nation may partake of in one Aſſembly for *communion.* The ſame

Argument will hold againſt *Dioceſan Churches*. 2. How is any one National Church *the Church*, more than another that hath ſuch a Ruling power, if all hath it alike? how various will Church-canons be, and how little Uniformity in *canonical obedience?* 3. If this obedience belongs to any Church, it ſeems moſt conſonant to right reaſon that it ſhould belong to the *Catholick Church*: for 1. That may be as *organical* as a *National* can be by virtue of any inſtitution of Chriſt. 2. That's moſt *comprehenſive*; therefore challengeth the *prehemiuence* of all others in reſpect of extent, and by way of eminency may moſt properly be ſtiled *the Church*. 3. This is the likelieſt way to attain a *Uniformity*; for it's pleaded as the great reaſon why Chriſt gives a *Legiſlative Compulſive* power to a National Church, *viz. Uniformitatis gratiâ*. Now it's but a partial Uniformity obtained thereby, of an Independent nature; but if true Uniformity be reached, it muſt be that which is *Catholick*; which can be no otherwiſe than by *Catholick canonical obedience*.

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## CHAP. XXII.

### *Of the Impoſition of Ceremonies.*

§ 1. NExt to the conſideration of *decencies and order*, it may be meet to enquire a little into the lawfulneſs of impoſition 1. of Ceremonies, 2. of a form of Prayer.

*Whether a Ceremony uncommanded by God, may be uſed in the Worſhip of God*, is not our preſent Undertaking to diſcuſs; for in ſome caſes it *may be lawful*, ſo it be ſuch as is *duely qualified*, and be uſed as *indifferent* and *occaſionally*, by the *Rules of diſcretion*: but our preſent Enquiry ſhall be,

*Whether the Church is liable to the impoſition of ſuch Ceremonies as Chriſt hath not made neceſſary by any Law of his?* Many Arguments before urged againſt the Churches Legiſlative power, might be here of equal force. I ſhall onely adde ſomething proper upon this ſtate of the Queſtion, to prove that ſuch an impoſition is not in the Churches power.

§ 2. *Arg.* 1. Becauſe the Church by ſuch *impoſition* doth ſubjugate her ſelf in her Members to *a yoke of bondage*, which Chriſt hath freed her and them from. That Chriſtians are *freed from ſuch yokes*, ſee

*Gal.*

*Gal.* 4. 31. *ch.* 5. 1. and the Church is not *to return to any bondage* that ſhe is freed from by Chriſt, ſhe being not a competent Judge of her own bondage or freedom. The Church of the Jews were not ſo; for they are condemned by the Spirit of God for not laying aſide that bondage to ceremonies which Chriſt would have eaſed them of. Hence in judgment her *Ear is bored*, and ſhe is become a profeſſed Vaſſal thereto, until the time of the fulneſs of the Gentiles; and would account it her greateſt felicity, might ſhe but have opportunity to return to the full enjoyment and exerciſe of the old *obſolete Rites* of the ceremonial Law. Hence nothing can be a more unqueſtionable truth, than that a *Goſpel-Church* may not return her ſelf or members to a ſubjection to a *ceremonial Yoke*: for, 1. If a Chriſtian or Church may return to *one Yoke* that Chriſt hath redeemed them from, then as well to another; if to that of a *ceremonial Law*, then to that of the covenant of Works alſo. 2. Again, if they may return to bondage, then they may *ſtay* in bondage as the Jews did: for both ways Chriſt equally *profits them nothing*, as a Redeemer profits not a Slave that will remain a captive, or return into it. 3. There's nothing can be more *diſpleaſing* to a Redeemer, than ſo to overthrow his whole deſigne of redemption.

§ 3. That Chriſt hath freed his *Churches* and *Chriſtians* from ceremonies as a yoke of bondage, *viz.* from all not inſtituted and ratified by himſelf, I thus prove. 1. If Chriſt hath not freed the Church of the *New Teſtament* from all ceremonies beſides his own, the condition of the Goſpel-church would be much worſe than the *Moſaical*, whoſe bondage was under a Law of ceremonies of God's own promulgation; and ſure if a Chriſtian muſt be under the *plague of ceremonies*, it is far better to fall into the hands of God than Man; and the Jewiſh Church muſt needs be more happy than the Chriſtian, who lie at the mercy of mens vain Imaginations and tyrannical Will. It was known to them of the Old Teſtament how great their burden was, though *preſcribed* by God, and *circumſcribed* exactly as to the latitude, and extent, and bulk of them; ſo that they could not eaſily be impoſed upon by man: and yet we ſee they could not eſcape the *Traditions of the Elders*, and *ſuperſtitious Obſervations of the Phariſees*. But what a miſerable condition are Churches of the *New Teſtament* in, who are ſo liable to ſo heavie and intolerable a bulk of ceremonies, without bounds or meaſure, *arbitrarily* to be increaſed by men of corrupt minds and intereſt, calling themſelves *the Church*: and were there a tythe of the ceremonies in the *Jewiſh Church* of what is in

the *Romiſh*, which the Papiſts have accumulated upon this ground. And Chriſt hath given leave to the Church under the Goſpel, to deviſe and impoſe what ceremonies ſhe in her wiſdom thinks meet? 2. Unleſs Chriſt hath freed the *Goſpel-church* from *ceremonial bondage*, how is the Goſpel-church the *free Woman?* Was not the bondage-ſtate of the Jewiſh Church very much, yea moſt in this reſpect? But is not the Goſpel-church in far greater ſervitude? for the *Jews* were in *bondage to God's ceremonies*, the *Chriſtian* to mans. And if Chriſt allows us not to return to ceremonial bondage of *God's impoſition*, ſure he allows us not a return unto ſuch of mans phanatick deviſing, and mercileſs impoſition. 3. To be in bondage under ceremonies for divine Worſhip, is to be in bondage under the *Elements of the world*; but the Goſpel-church is delivered by Chriſt from bondage to the *Elements of the world*, Gal. 4. 3. 9. for στοιχεῖα τοῦ κόσμου Elements or Principles of the world, *Coloſſ.* 2. 8. they are deſcribed to be κατὰ τὴν παράδοσιν τῶν ἀνθρώπων, according *to the tradition of men*; and *verſ.* 20. they are thoſe that Chriſt hath redeemed us from, and *weak* and *beggarly*, Gal. 4. 9. and if the ceremonies of the Jews, once inſtituted by God himſelf, were ſuch, how much more are the ceremonious Relicts of *heatheniſh Idolatry*, or any other that are products of mens Brains and corrupt Wills? What poor, wretched, and abominably *beggarly things* are they, for the members of Chriſt to be enſlaved to? What pitiful Ornaments are old rotten Hangings to put up in Chriſt's houſe, that excellent Fabrick of his own building? If they, I ſay, (*Jewiſh*) were *worldly*, much more thoſe which are *originally from the world*, of worldly contrivance and intereſt: for all ſuch muſt be of *God* or the *world*; but they are not from God either *immediately or mediately*; not *immediately*, becauſe not inſtituted by him; not *mediately*, becauſe he never *deputed any* authority to inſtitute them: *Ergo*, of *the world*. Hence the Church and Chriſtians ſhould be *dead with Chriſt, to the Rudiments of the world; and not live in the world ſubject to ſuch Elements*, Col. 2. 20. *&c.* 4. The ceremonies ſpoken of, *Gal.* 4. & 5. which the *Galatians* returned to; were but *humane commandments*, *though Jewiſh*; for they ceaſed now to be commanded of God, yea, were forbidden by him; and all the *Sanction* which now they had, was *from man*: And the Apoſtle doth convincingly prove the unlawfulneſs of *Reſanction* of Jewiſh ceremonies; by doing of which, he doth ſufficiently caſt down all humanely-inſtituted ceremonies in divine Worſhip: and by the Prelates practice, many Jewiſh ceremonies, as *Muſick*,

*ſick*, *Altars*, *Ephods*, &c. are not onely lawful as things indifferent, but required as things not to be diſpenſed with, therefore neceſſary. 5. Chriſt hath freed his Church and Members from being *ſervants unto men* in the Worſhip of God; *Ergo*, from humane *ceremonial Laws*: That place 1 *Cor.* 7. 23. muſt be underſtood of ſervitude unto men, in an Eccleſiaſtical, or at leaſt Religious ſence: for he ſaith, *Let every man abide in the Calling wherein he is called; ſervants in obedience to their Maſters, children to their Parents, ſubjects to their governours*, &c. For the *Corinths* thought that there was a neceſſity on their converſion to alter their Callings which they had before; as if a man were called, being a *ſervant*, to be a Chriſtian, that thereby he became his brother, and ought not any longer to own him as Maſter. But the Apoſtle clears up this doubt, and ſaith, Thou being a *ſervant*, do not think thy relation to thy Maſter is diſſolved ever the more becauſe of thy converſion; thou art as much a ſervant as before; and therefore he ſaith, being called, do not preſently renounce thy *relation*, and refuſe ſubjection to thy Maſter, upon pretence that thou art Chriſt's freeman, but abide in the place of a ſervant as before; thou art nevertheleſs God's *freeman*, thy *Conſcience free* for God's Worſhip, to ſerve him according to his revealed Will: and therefore in this kind be not a ſervant to men, or any ſort of men; though thou mayſt lawfully remain a *Family-ſervant*, yet be not a *Conſcience-vaſſal* unto any men.

§ 4. *Arg.* 2. If it be lawful for the Church or other power to enact and impoſe *Laws for Ceremonies*, whereby Churches and Chriſtians are liable to ſuch Laws, then it's lawful to erect a *ceremonial Law* under the Goſpel: for what is a Law of, or for a *body of Ceremonies*, but a *ceremonial Law?* But Chriſt would never pull down one *ceremonial Law* by his death, for man to erect another; and pull down one *Jewiſh*, and leave it lawful for man to erect one more *heatheniſh*; would he aboliſh one ceremonial Law of *divine Inſtitution*, and leave it to man to eſtabliſh a new one of his *own deviſing*; yea, a thouſand *ceremonial Laws* of as many ſorts as there are ſeveral Churches and Ages in the world? It's a moſt abſurd and untheological conceit, that a *ceremonial Law* is conſiſtent with the ſtate of the Goſpel, wherein all Vails whatever is removed from the Lord Jeſus, beſides *the vail of his fleſh*; neither is the *Spirituality* of his Ordinances to be clogged with ſuch a bulkie maſs of *fleſhly Inſtitutions*.

§ 5. *Arg.* 3. If we be not liable to an *impoſition and enforcement* of Chriſt's

Christ's own by a temporal *Penal Law*, much less liable to such imposition of ceremonies by Ecclesiastick or other authority; for all imposition is by a *Penal Law*: but we know Christ never made any *Penal Law* to be Ecclesiastically administred, thereby to enforce men to *Baptism* and *receive the Supper*: His people that submit to his Ordinances, must *be willing* and free: whereunto they are brought by enlightning the Understanding, and perswading the Will, as the great end of the Gospel preached. Those that will say otherwise, must justifie the *Spaniards* in *America*, in bringing the poor *Indians* to their baptism by force. The claim that any make to the use of the Magistrates Sword, or force of Arms, to prevail with men to submit to any things pretended to be spiritual, is of like nature, and will fall under the like condemnation: And how much worse by the Rule of Proportion must that needs be, to *enforce* ceremonies of humane institution, than those of divine? Would not Christ give such a power to the Church to enjoyn his own institution under *Corporal or Penal Mulcts*? how much less will he bear so great an usurpation for any to erect a body of ceremonial Laws, with *Penalties* annexed, thereby to enforce them on the Consciences and practices of others? The Argument stands very fair and forcing, from the greater to the less: That power that cannot justifie the imposing any of Christ's *own Ordinances* on men, even on unregenerate; and no visible Members, cannot justifie the imposing humane Ordinances on the *visible Members* of Jesus Christ; but no Power can justifie the *imposing* any of Christ's Institutions by a Penal Law, *&c. Ergo*, there is none can pretend to defend any such proceedings, by any plausible Argument from Scripture or right Reason.

§ 6. *Arg.* 4. If the Church is liable to the *imposition of Ceremonies* not instituted by Christ, it's either to the imposition of *insignificant*, or of *significant*. It's not subjected to the imposition of *insignificant*, i. e. of childish or irrational empty ceremonies of no signification: for this were to mock God, and imitate the Heathens in a gross manner, to use *antick gestures and actions* (in God's solemn Worship) of which there can be no plausible reason pretended; therefore such things are *absolutely vain* and *unlawful*. 2. For *significant Ceremonies*, Church-powers cannot impose them, 1. Because none may devise and enact such into a Law at pleasure. 2. None can pretend sufficiently to the signe and thing necessarily requiring *signification* thereby in Christ's Worship, but Christ himself. A significancy in *divine service*, must be such as Christ would have, & no other;

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he will not have such things signified as are *heterogenious* to his service: and *homogenious* things onely may be represented by *homogenious* signes; and who can determine such, but the most wise Legislator and King of his Church? 3. *Significant Ceremonies* are so by virtue of *adaptation* of a signe by some Law to the *thing signified*, and they are either Moral or Instituted: Moral and natural are such wherein there is a natural or moral relation between the signe and thing signified, or at least acquired by use and custom, as bowing the body, and uncovering the head, of reverence and subjection, *&c.* and there is nothing in this kind necessary to be done in the Worship of God, which is not already done: for if Christ had seen a necessity of any more ceremonies of that kind, he would have annexed them. Again, ceremonies of *limited Institution* are not to be imposed; for such are either *Typical* or *Sacramental*. 1. There can be no *Typical Ceremonies* under the New Testament, because the Body is come, and the Shadows must flie away. 2. Nor can there be any *Sacramental Ceremonies* instituted: for herein lies the exercise of Christ's Prerogative, to institute Sacraments; neither doth he enforce the use of any by *corporal or pecuniary Penal Laws*. 3. A Sacrament (according to the Church of *England*) is a *visible signe of an invisible Grace*; in which sence all significant ceremonies should be *Sacraments*, as the Surplice *a signe of inward Purity*; but they that have not power to give the *thing signified* as well as the *signe*, have no power to make a *Sacrament*; which Christ does in all his. 4. A Sacrament is not every *significant sign* in divine things, but such a ceremony as is a federal signe and seal; such was *Circumcision* and the *Passover of old*, *Baptism* and the *Lords Supper under the New Testament*; such (though humane Innovations) is the *Cross in Baptism*, and the *Ring in Marriage*: for they are consecrated *Ceremonies*, *significant*, and *federally obligatory*; which appears by the Churches institution of them. But there may be no *Sacramental* ceremony instituted by the Church: this would be a gross addition to Christ's Sacraments annexed to the New Covenant, which must not be altered, nor have any new ones superadded: for if any humane power may increase the number of Sacraments, *viz.* to three or four, they may go to seven with the Papists; and why not as well to seventy? Those two *additional* which some Protestant Churches retain, they are beholding to *Rome* for the institution of them. Mr. *Bradshaw* and others hath sufficiently proved that no Church can institute ceremonies of Sacramental significancy and intent; and therefore I need not enlarge here upon it.

CHAP.

# CHAP. XXIII.

## *Of Obligation to a Form of Prayer.*

§ 1. HAving discussed that *Question*, whether a Church or Christian is liable to *imposition of Ceremonies*, it remains now to enquire, *How far a Church or Christian may be obliged to a Form of Prayer? A Form of Prayer is such a Prayer as is premeditated and prescribed by our selves or others, as to the matter and form of Petitions and Words, constantly and unalterably to be used on times and occasions suiting the matter, form, and drift of the said Prayer.* The Question here will not be, *Whether a Christian may not use a Form of Prayer*; but, *Whether it be lawful for a Christian (as much as to use any indifferency) to binde himself, or suffer himself to be obliged to a prescribed Form of Prayer?* which Enquiry falls into two parts. 1. *Whether a Christian may come under an obligation, by vow or resolution, to use a Set-form of Prayer, as before explained?* 2. *Whether he may suffer himself to come under any such obligation by virtue of a Law made by any pretending Authority thereunto?*

§ 2. As to the first, we shall assert and confirm the Negative, That *it's not lawful for a Christian to put himself under any such obligation by his own Vow or Covenant*, or I may adde, by his customary and constant abiding therein; which doth in effect amount to a Covenant-tye. If such a Tye were lawful, it's either as a thing *necessary*, or *indifferent*; for all lawful things are so. 1. It's not lawful as a thing *necessary* (will be easily granted) because none will say, that are Protestants, that a Christian is *necessarily* bound to a Form of Prayer by the positive command of Christ; if they do, let it be shewn where Christ doth require any so to oblige himself, or condemn any for not doing it; or let him alleadge any Scriptural Example where any hath done it, especially in the New Testament. I suppose we need not stay on that part. The second part of the Disjunction, that it's not lawful for him, as an indifferency, to binde up himself to *such a Form*, I prove thus: All Christian indifferent actions of concern in the Worship of Christ, ought to be determined by the judgment *of discretion*, according to the Gospel-rules of *Expediency, pro hic & nunc*; but to lay ones self under such an Obligation, would

would hinder him from walking by ſuch Rules, and by ſuch a Judgment; *Ergo*, to uſe it as an Indifferency, and to come under ſuch an Obligation, are moſt *inconſiſtent*; but if it be ſaid that it's expedient for him to come under ſuch an Obligation, the *ratio formalis* muſt be becauſe he cannot compoſe another Prayer, or pray by preſent conception: But that is not a *juſtifiable reaſon*; for though he cannot at preſent, he may afterwards be able ſo to do. It's juſt as if a man being lame and uſeth crutches, makes a vow never to go without them, though he ſhall be never ſo well. Or it may be another Form may be offered more ſuitable to his condition (we meeting with dayly alterations on that account;) it's not fit therefore that we ſhould be bound up always to the ſame Expreſſions, Petitions, Confeſſions, and Thankſgivings; our *Neceſſities, Temptations, Sins and Mercies received, dayly changing*. Beſides, though a man have not at preſent the gift of Prayer, or aſſiſtance of the Spirit thereunto, yet he ought to *ſeek and wait* for it; and therefore ought not to binde himſelf up to ſuch a Form, though he may *uſe it for preſent neceſſity*.

§ 3. *Arg.* 1. It's not an indifferent thing for any man *to ſtint* himſelf in Religion where God hath not *ſtinted him*: Where Chriſt hath allotted to us a *Freedom*, the contrary to it is *Bondage*; and no Chriſtian ought to put himſelf into bondage where Chriſt hath made him free. Whereas ſtinted Forms bound to, brings a man into Bondage to Words, or theſe and thoſe *Petitions*, *Confeſſions*, &c. which though it may be ſuitable for one ſtate and ſeaſon, may not be at another, neither ſo much to Chriſt's glory, and his own edification: for Chriſt hath foreſeen a *neceſſity of freedom* in this kind, as to the uſe of *words and ſentences* in Prayer, *i. e.* to be regulated by Goſpel-rules of Expediency, as all Chriſtian liberty is. 1. Becauſe of the various Caſes, Occurrences, and Exigences that a Chriſtian is liable to, that it's impoſſible any one can ſuit *fore-preſcribed* Forms unto them; and we are enjoyned in *all things to make our Requeſts known unto God*. 2. Becauſe of the divers helps and aſſiſtances of the Spirit in expreſſion of our wants, *Rom.* 8. 26. even ſometimes in *Sighs and Groans*, unutterable in words, and unreducible into any Forms; yea, often not knowable before we come to ask, becauſe diſcovered to us by the Spirit, ſearching our hearts while we are waiting upon God in the duty. 3. Becauſe of the divers frame of a Chriſtians own ſpirit that he is ſubject unto, ſometimes of deadneſs and deſpondency, ſometimes of enlargement (that for the moſt times thoſe are ſtrangers to, who keep up in the road of words) that the ſame words and ſentences

cannot in Faith be utterd, without the fameneſs of heart-frame, which cannot always be; which they abundantly know, *who have their ſenſes exercised by reaſon of uſe.* There are the frequent ebbings and flowings of particular Graces in a Chriſtian's heart, as of *Faith, Repentance, Joy, Patience*, &c. according to which he is always to *proportion* his expreſſions in Prayer as neer as may be, in order to his own comfort, and power againſt prevailing corruptions. Beſides, I might inſtance in the various aſſaults Satan makes upon us, his manifold wiles, as alſo the divers workings of our hearts towards or againſt corruption; as laſtly, the various and unexpected Mercies that we be daily partakers of. Examples we have many in Scripture of ſuiting Prayers in this manner, if we conſider how it was with the Saints of old, as *David, Heman, Hezekiah*, &c. 4. Becauſe Chriſt hath onely given us *general Rules* in the Goſpel for particular Prayers, and hath not bound or limited us to *any particular Form.*

§ 4. *Obj.* But Chriſt hath preſcribed us a *Form of Prayer*, viz. that commonly called the Lord's Prayer; for he ſaith, *Luke* 11. 2. *When you pray, ſay*, &c. *Anſw.* It's moſt abſurd to think that Chriſt bound his Diſciples to thoſe *words and ſentences*, and bound us up from all others; and one Scripture muſt explain another, *Mat.* 6. 9. it's after this manner, *i.e.* for ſence and meaning. 2. If *Luke* 11. 2. were to be underſtood ſtrictly, then we muſt neither adde to or diminiſh from, nor alter the Form. Hence it were unlawful to uſe the *Doxologie* mentioned *Mat.* 6. 3. If it were ſo, Chriſt's Diſciples (this Prayer being *primarily* directed to them upon their requeſt) ſhould never have uſed any other Prayer; but we finde not that they ever uſed the very *Prayer in identity* of words and ſentences. 4. In anſwer to their requeſt, it was moſt probable to be a Rule for *Matter* and *Method*; for they deſired our Saviour to *teach them to pray as* John *taught his Diſciples.* Now we finde not any preſcribed Form left by *John* to his, neither I ſuppoſe did our Saviour in this leave any more than a *Pattern or a ſtanding Rule* of Prayer to his people under the Goſpel. 5. He never uſed it himſelf, becauſe he had no ſin, need not ſay, *Forgive me my ſins.* 6. All expreſſions are in the *plural number*, ſhewing that we have onely the moſt general Rules; ſecret Prayer, is to be referred to it, and particular caſes, but not here mentioned in words and ſyllables. 7. If Chriſt had bound us to this Form, then we were to uſe no other; neither might the *Church preſcribe* any other; neither might *particular Chriſtians* uſe their gifts in Prayer, nor various Forms of their own or others preſcription: which would be too groſly abſurd for any to aſſert.

§ 5. But

§ 5. But *fifthly*, to infer that Christ (by prescribing this Form as *imitable* by us, or by propounding and commending this to us as a Rule or Form) did thereby tye us up to other Forms, or gave power to the Church to binde us to Forms, or that we might binde our selves to other Forms, is as great an inconsequence as any in the world; for we have shewed there's more reason to judge that he left it as a *Rule than Form*: If he left it as a *Form*, it's no ground for other men to make Forms, but rather a ground to the contrary, it being his Prerogative as our Lord and Master. And besides, if he hath given us a *Form*, and we are thereby bound to words and sentences, we ought not to take up other *Forms*, and multiply *thousands* of mens prescriptions; for the sence of Christ must needs be one of these two, when you pray, say, *i. e.* use this as the onely Form of Prayer, and stick to it for words and sentences, and never trouble your selves about any other: for if it be taken in the other sence, it's *universal*. Take this as a standing general rule of Prayer, to which all sorts of Petitions, Deprecations, Confessions, Thanksgivings, are referrable. If he had authorized any to compose other teaching Forms, he would have said, You, Apostles and your Successors, thou Catholick Church, or National Church, or particular Congregation; do you compose a Form of divine Service, and I will set my hand to it.

§ 6. The *second part of the Question* is, *Whether a Christian may suffer himself to be bound to a Form of Prayer by humane Authority pretending thereunto?* The Answer to this Enquiry will be double: 1. That whatever Authority, Ecclesiastical or Civil, doth pretend to such an imposing power, a Christian is not to *subject* himself by active *submission*. 2. That no powers beneath Christ, can pretend justly *to such Authority*. The reasons of the first hath been largely enough insisted on before; therefore I shall here but touch upon them. 1. Because Christ hath not left it indifferent to a Christian *to be bound* in matters of his Worship, where he hath left him *at liberty*; for thereby the use of discretion, in conveniencies, is lost. 2. All those reasons why he may not binde himself to a Form of Prayer, do *formally prove* that he is not to permit himself to be imposed upon in this kind by another. 3. None but Christ may prescribe Set-forms of his own Worship; and we are not allowed *obedientially* to submit to any Legislative power in this kind, as hath been shewed. 4. If a Christian suffer himself in this to be *imposed upon*, he parts with one of the most eminent priviledges that he is capable of, *viz.* that of *speaking his minde to God in Prayer*, and not to be bound to the Dictates and Suggestions of

another. Who can know our own case in respect of Sins, Wants, Temptations, Mercies, &c. better than our selves? What is more unreasonable, than that a Childe (though he cannot speak plainly) should not be suffered to speak his mind to his Parents, as well as he can, but must be always prescribed to it in the Servants or elder Brothers words and expressions? To deal thus with God's Children, is to go about to abandon the *Spirit of Adoption*, which God's Children are led by, *Rom.* 8. 2. 14, 15. which Spirit they have for this end, that they cry *Abba Father*, that they may speak the language of the Spirit in Prayer (though their utterance be in broken and abrupt Sentences, even in *sighs and groans*) which God knows the meaning of. Wherefore to put our selves under humane set Forms, is to put ourselves into the greatest spiritual Bondage of this nature.

§. 7. Secondly, *No Power Ecclesiastical or Civil can pretend justly to Authority from Christ, to impose on Minister or Christian a set Form of Prayer.*

*Argum.* 1. If any can pretend to such Authority, it must be to *impose a set Form of Christs composing*, or *of humane composition*: But they cannot pretend justly to impose any Prayer of *Christs composing*, because Christ hath neither required nor allowed the imposing the use of that which is called *the Lord's Prayer by penal Laws. What corporal or pecuniary Mulcts* are to be inflicted on a man that doth not use the very words of that Prayer, by virtue of any Law of Christ? Is he to be Whipped, or Fined for it by the Magistrate, or Excommunicated by the Church? Again, they cannot pretend to impose a Form of *humane composition*; for if there be no ground to impose a Form of Prayer of *Christ's composition*, by a penal Law, much less to impose one of Mans: And for any to undertake, either Church or State, to prescribe the worship of Christ, and to enforce it by punishments, where Christ never deputed or allowed such Authority, is the greatest presumption and insolency in the world.

§. 8. *Argum.* 2. He or they that impose a Form of Prayer, must do it, because it is *necessarily or indifferently requisite* so to do, according to the revealed Will of Christ: But none can impose a Form of Prayer for any of these reasons. *Ergo.* 1. None can, because a Form of Prayer is *necessarily requisite*, 1. Because Christ hath no where *required* the Church or Magistrate to impose. 2. If a Set-form of Prayer were absolutely necessary, it could not be to any person or season *dispensed* with. 3. If the necessity be pleaded for *publick Prayers*, that there should be *a set Form*, there is as little necessity of that, can be proved from the Word of God, as of private Set-

Set-Forms. 4. If there be need of a Form for help in ſome caſes, in reſpect of preſent weakneſs of Miniſters or Chriſtians, it's no reaſon therefore it ſhould be impoſed as neceſſary to all it's pleaded for upon the account of Uniformity; but if ſome of his Majeſties Subjects wear Spectacles, becauſe of the weakneſs of their Eyes, muſt all do ſo too for Uniformity ſake, though their Eyes be never ſo good? We are to ſtrive after perfection and conformity to Chriſt therein, but are not to endeavour to conform to the *weakneſſes and imperfections* of his Members, and take our meaſures thereby; though we are to bear with and condeſcend to them as much as may be without ſin.

§ 9. *Secondly*, A Form of Prayer cannot be impoſed as indifferently requiſite to the worſhip of Chriſt; becauſe 1. If any thing be indifferently (*i. e.* conveniently) requiſite to the worſhip of Chriſt, it is becauſe Chriſt hath willed it indifferently requiſite: for all matters of his Worſhip take their firſt reaſon from *his Will*. 2. There is no reaſon from the *indifferency* of any thing, to impoſe it as *neceſſary*: But in Spiritual concerns the *indifferency* of any thing is a reaſon againſt the impoſition of it *as neceſſary*; becauſe ſuch an impoſition takes away the Formal uſe as *an indifferency*. 3. What Chriſt hath revealed as *indifferently requiſite*, he hath required a Chriſtian to uſe *indifferently* by the judgment of *diſcretion*; for every action concerning Chriſt's worſhip, is to be performed as Chriſt hath preſcribed the nature of it; neceſſary things to be done *neceſſarily* by us, (but not to be impoſed on us) and *indifferent things indifferently*. Therefore an Impoſition to enforce the uſe of *indifferent things neceſſarily*, and *neceſſary indifferently*, *is unlawful*, as contrary to the Will of Chriſt. 4. We have before proved, that neither Church nor State can change an Evangelical Indifferency in the Worſhip of Chriſt into a Neceſſity.

§ 10. *Arg.* 3. To exerciſe *Dominion over Mens Faith*, is unlawful: but for Church or Magiſtrate to impoſe a ſet Form of Prayer, is to *exerciſe Dominion over Mens Faith*, Ergo. The Major is without queſtion; and to exerciſe ſuch a Dominion, is to preſcribe what we ſhall *believe and practice*, or to enforce us to *practice in Sacred things without believing*. The *Minor* is true, becauſe there can be no greater *exerciſe of Dominion* over Faith, than in impoſing on us a Form of Prayer; for every Prayer is to be *prayed in Faith*, or elſe it is ſin. Now to impoſe a Form on me, (being to enforce me to that Prayer that I be not ſatisfied in) is to impoſe *on my Faith*, i. e. to preſcribe what.

I ſhould believe for practice in Prayer; or to enforce me to *practice* that which I do *not believe*; i. e. to pray that Prayer, and that conſtantly, in ſuch a part of Worſhip which I cannot do believingly.

§ 11. *Arg.* 4. If one Church may *enforce* a Form of Prayer by *a Penal Law*, then another may; *i. e.* if a *National Church* may enforce a Form of Prayer on all her *Subordinate Churches* and Members, then *the Univerſal viſible Church* may *on the National* which are her Members; and if the *National* can puniſh the *Dioceſan*, or *Parochial*, for Non-conformity in this kind, why may not the *Catholick* puniſh the *National* for the ſame fault? *i. e.* for uſing a Form of Prayer not ſufficiently allowed or preſcribed by the *Catholick*: and if the National can interdict an *inferiour Church*, or *Excommunicate a particular perſon*, for refuſal of ſuch Obedience, why may not the *Catholick* deal with the *National* in the ſame kind? This muſt needs be conceded, but that it will be ſaid, we do not know Where to find the *Catholick Church*; and though the Church of *Rome calls herſelf ſo*, yet ſhe is not to be believed; ſhe bears *witneſs of herſelf*, *and that witneſs is not true.* I only reply, We can as eaſily, and more, find the *Catholick Church*, as *a National*; for there hath been always a *Catholick Church*, but there never hath been, nor will be, a *National Goſpel organized Church* in the world. And we may as well believe a pretending Church calling herſelf *Catholick*, as a pretending Church calling herſelf *National*; when as they are equally to be accounted as no Churches of Chriſts Ordination, as I can eaſily manifeſt when time ſhall ſerve. Well then, the National Church lyes liable to the cenſure of the *Church Catholick*, for uſing a diſtinct ſet Form of publick Prayers eſtabliſhed by her ſelf, whereby ſhe renders herſelf a groſs *Non-Conformiſt* to the *Catholick Church*, and an *Independent* in reſpect of all other *National*, her Form of Prayer being not Uniform with theirs. If it be ſaid the Church may *compoſe* and *impoſe* a Form of Prayer, we muſt know *what Church* that is, and not be deluded with *a Name.* Is it the *Catholick Church?* if ſo, why have we not a *Catholick ſet Form of publick Prayers*, and all National Churches bound to the uſe of it? And why, on the contrary, doth every *National Church* make and uſe Forms of their own? And if it be ſaid, The *National* is the Church, it's falſe; for it's not the Church by way of Eminency, it's not the moſt *Generical* Church, becauſe it's not the only Church, there are many *National*, and there are many other ſort of Churches, that will put in for as good a right as the *National*: and if every *National* under the Name of the Church may do this, and have a diſtinct

Form

Form of Prayer, what will become of *Catholick Uniformity?* And if the Church as *Provincial* or *Dioceſan*, what will become of *National Uniformity?* And if this power be granted to any, or all theſe ſubordinate Churches, *Actum erit de Uniformitate Catholicâ.*

§ 12. But the great plea for a *Form* of Prayer in the Church, is *Uniformity*, for this cannot be (ſay ſome Men) without it. *Anſw.* Uniformity in the Church cannot be by particular *National Forms*, it muſt be by a *Form Catholick*. 2. Can there be no *Uniformity* in the Church without a *ſameneſs* in *Words* and *Sentences* in prayer, there ſcarcely being two Scripture-Prayers that are altogether the ſame in *Words* and *Sentences?* Doth not Uniformity conſiſt rather in agreement in *Principles*, and the *Analogie of Faith, ſubmiſſion to, and cloſing with the ſame King, Prieſt and Prophet, conforming to, and walking by the ſame rule of the Goſpel, an influence and guidance by the ſame Spirit?* 3. If Uniformity of the Church lyeth in ſuch *Externals*, why is not a ſet Form of *Preaching* eſtabliſhed, that none ſhall uſe any other beſides ſuch *Homilies?* 4. If a ſet Form of ſome Prayers be neceſſary to *Uniformity*, why not of all, as well of private as publick? for if the Church be not cloſe tyed in bond of *Uniformity*, by uniting Families and Individuals, it will break to pieces for all a *publick Form.* The firſt and main Union in the Church, is [illegible] which knits every *particular Member* to the whole *by joynts and [illegible]*; and that there may be true Uniformity, this muſt be carefully maintained, but it's that which the great contenders for a pretended Uniformity leaſt concern themſelves about.

§ 13. Another great plea for publick Forms of Prayer, is, *the weakneſs, ignorance, and lazineſs of many Miniſters.* *Rep.* The ſame plea holds for ſet Forms of *publick Sermons*, the neceſſity of which for a time was well conſidered, at our firſt coming out of *Antichriſtian darkneſs*; and any one that could read but a *Chapter, Prayer, and Homily* in the Mother-Tongue, did a great deal of ſervice to God and the people. But there is not the ſame reaſon now the Church is better provided with able Labourers; or at leaſt might be, if ſhe would. 2. It is the ready way to fill the Church with this ſort of Cattle, *thoſe lazy, ignorant, ſcandalous Prieſts*, for Mother-Church not only to connive at them, but to countenance them, and maintain them in their *pride* and *ſloth*, and by making their Exerciſes for them, whilſt they be *idle, debauched*, and *prophane*, minding nothing but the *profits, pleaſures, and Honours of this Life.* 2. The only way (*Ignavum fucos pecus a præcipibus arcent*) is to baniſh theſe *droans* from the Church

Church, and not to turn all the Church unto *droans*; and nothing ſtarves them ſooner, than to leave them to their own ſtock for *Praying and Preaching*; and it's beſt that their Ignorance be bewrayed, that they may be aſhamed, and get better inſtruction and exerciſe in Spiritual things, which are to be guides to other Mens Souls; or if they be not aſhamed, the people may have a full knowledge of them, and be wiſer than to entruſt their Souls in their hands. Therefore it's good that the Props be taken away, and it will ſoon appear whether ſuch pretended Church-pillars be ſound or rotten.

§ 14. What is alleadged about Miniſters *abuſe of parts* in publick Prayers, *or want of ſufficiency*, is no forcing Argument for impoſing a Form; for the abuſe of good things, is no argument againſt the uſe; we may as well ſay, Becauſe ſome will be Drunk, therefore none muſt drink Wine or Beer. 2. Inſufficient Miniſters are to be *removed*, or *further inſtructed*, if they be capable and willing, as *Apollo* was. 3. Are not Church-Prayers lyable alſo to abuſe, when uſed by ſottiſh Prieſts, in a *formal, cuſtomary, ſlovingly, and prophane uſe* of them? and a hundred times more wrong done thereby to the honour of Religion, and the poor Souls of the people, than by ſome weak expreſſions and ſentences or words ſtruck out of joynt, by the laborious, faithful, and zealous Miniſters, that conſcientiouſly endeavour to uſe and improve the Talents given them, to the ſervice of Chriſt, the converſion and edification of the Souls of the people.

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